

JOURNAL
of the
**HOUSE OF
REPRESENTATIVES**

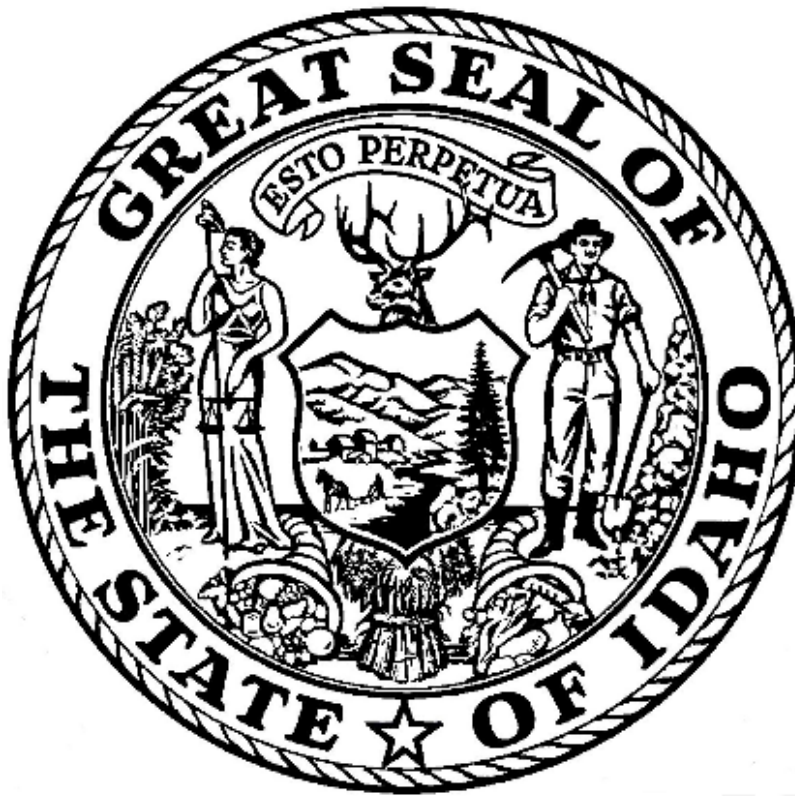


ORGANIZATIONAL SESSION
and
FIRST REGULAR SESSION

of the
SIXTIETH LEGISLATURE

of the
STATE OF IDAHO
2009

JOURNAL
of the
**HOUSE OF
REPRESENTATIVES**



STATE OF IDAHO
2009

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FIRST REGULAR SESSION - 2009

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HOUSE OFFICERS
2009

LAWERENCE DENNEY
Speaker of the House

MIKE MOYLE
Majority Leader

JOHN RUSCHE
Minority Leader

SCOTT BEDKE
Assistant Majority Leader

JAMES D. RUCHTI
Assistant Minority Leader

KEN A. ROBERTS
Majority Caucus Chair

WILLIAM M. KILLEN
Minority Caucus Chair

HOUSE ADMINISTRATION
2009

BONNIE ALEXANDER Chief Clerk of the House
PATTI RECTOR Assistant Chief Clerk
SUE FRIEDERS Assistant to the Speaker
TERRI FRANKS-SMITH Chief Fiscal Officer
MARISA NELSON Assistant to Minority Leadership
CAROL RYAN Docket Clerk
CHRIS TAYLOR Journal Clerk
LESLIE SHEEDY Journal Clerk
JUDITH CHRISTENSEN Sergeant at Arms
AL NOYES Assistant Sergeant at Arms
TOM DOUGHERTY Chaplain

**HOUSE MEMBERS
AND COMMITTEE ASSIGNMENTS 2009**

ANDERSON, ERIC	District 1
State Affairs - Vice Chair, Environment, Energy and Technology	
ANDRUS, KEN	District 29
Agricultural Affairs - Vice Chair, Resources and Conservation, State Affairs	
BARRETT, LENORE HARDY	District 35
Local Government - Chair, Resources and Conservation, Revenue and Taxation	
BAYER, CLIFFORD R.	District 21
Appropriations, Business, Local Government	
BEDKE, SCOTT	District 27
Assistant Majority Leader Resources and Conservation, Revenue and Taxation, Transportation and Defense, Ways and Means	
BELL, MAXINE T.	District 26
Appropriations - Chair, Resources and Conservation	
BILBAO, CARLOS	District 11
Local Government - Vice Chair, Business, State Affairs	
BLACK, MAX C.	District 15
Business - Chair, State Affairs	
BLOCK, SHARON L.	District 24
Health and Welfare - Chair, Education	
BOE, DONNA H.	District 30
Education, Judiciary, Rules and Administration, Local Government	
BOLZ, DARRELL	District 10
Appropriations - Vice Chair, Agricultural Affairs, Judiciary, Rules and Administration	
BOYLE, JUDY	District 9
Health and Welfare, Resources and Conservation	
BURGOYNE, GRANT	District 16
Judiciary, Rules and Administration, Local Government, Revenue and Taxation	
CHADDERDON, MARGE	District 4
Business, Education, Local Government	
CHAVEZ, LIZ	District 7
Agricultural Affairs, Education, Resources and Conservation	
CHEW, SUSAN B.	District 17
Education, Health and Welfare	

HOUSE MEMBERS AND COMMITTEE ASSIGNMENTS 2009

CLARK, JIM	District 3
Judiciary, Rules and Administration - Chair, Local Government, Revenue and Taxation	
COLLINS, GARY E.	District 12
Revenue and Taxation - Vice Chair, Business, Local Government	
CRANE, BRENT	District 13
Business, State Affairs	
CRONIN, BRIAN	District 19
Business, Environment, Energy and Technology	
DENNEY, LAWERENCE	District 9
Speaker of the House	
DURST, BRANDEN J.	District 18
Business, Education, Health and Welfare	
ESKRIDGE, GEORGE E.	District 1
Appropriations, Environment, Energy and Technology, Resources and Conservation	
GIBBS, MARC	District 31
Business, Education, Health and Welfare	
HAGEDORN, MARV	District 20
Resources and Conservation, Transportation and Defense	
HART, PHIL	District 3
Transportation and Defense - Vice Chair, Judiciary, Rules and Administration, Revenue and Taxation	
HARTGEN, STEPHEN	District 23
Commerce and Human Resources, Education, Environment, Energy and Technology	
HARWOOD, R. J.	District 2
Environment, Energy and Technology - Vice Chair, Resources and Conservation, Revenue and Taxation	
HENDERSON, FRANK N.	District 5
Business - Vice Chair, Appropriations, Local Government	
HIGGINS, ELFREDA	District 16
Commerce and Human Resources, Local Government, State Affairs	
JAQUET, WENDY	District 25
Appropriations, Environment, Energy and Technology, Judiciary, Rules and Administration	
JARVIS, RICH	District 21
Business, Transportation and Defense	

HOUSE MEMBERS AND COMMITTEE ASSIGNMENTS 2009

KILLEN, WILLIAM M.	District 17
Minority Caucus Chair Agricultural Affairs, Judiciary, Rules and Administration, Revenue and Taxation, Ways and Means	
KING, PHYLIS K.	District 18
Resources and Conservation, State Affairs, Transportation and Defense	
KREN, STEVE A.	District 13
Environment, Energy and Technology, Judiciary, Rules and Administration, State Affairs	
LABRADOR, RAÚL R.	District 14
Judiciary, Rules and Administration, State Affairs, Transportation and Defense	
LAKE, DENNIS M.	District 28
Revenue and Taxation - Chair, Agricultural Affairs, Commerce and Human Resources	
LOERTSCHER, THOMAS F.	District 31
State Affairs - Chair, Health and Welfare	
LUKER, LYNN M.	District 15
Health and Welfare, Judiciary, Rules and Administration, State Affairs	
MARRIOTT, JIM	District 28
Commerce and Human Resources - Vice Chair, Education, Health and Welfare	
MATHEWS, RUSS	District 33
Business, State Affairs, Transportation and Defense	
MCGEACHIN, JANICE K.	District 32
Appropriations, Health and Welfare, Judiciary, Rules and Administration	
MOYLE, MIKE	District 14
Majority Leader Resources and Conservation, Revenue and Taxation, Ways and Means	
NIELSEN, PETE	District 22
Health and Welfare - Vice Chair, Education, Judiciary, Rules and Administration	
NONINI, BOB	District 5
Education - Chair, Transportation and Defense	
PALMER, JOE	District 20
Business, Local Government, State Affairs	
PASLEY-STUART, ANNE	District 19
Commerce and Human Resources, State Affairs	

HOUSE MEMBERS AND COMMITTEE ASSIGNMENTS 2009

PATRICK, JIM	District 23
Agricultural Affairs, Appropriations, Business	
PENCE, DONNA L.	District 25
Agricultural Affairs, Education, Resources and Conservation	
RAYBOULD, DELL	District 34
Environment, Energy and Technology - Chair, Resources and Conservation, Revenue and Taxation	
RINGO, SHIRLEY G.	District 6
Appropriations, Commerce and Human Resources, Transportation and Defense	
ROBERTS, KEN A.	District 8
Majority Caucus Chair	
Revenue and Taxation, Transportation and Defense, Ways and Means	
RUCHTI, JAMES D.	District 29
Assistant Minority Leader	
Revenue and Taxation, Transportation and Defense, Ways and Means	
RUSCHE, JOHN	District 7
Minority Leader	
Business, Health and Welfare, Revenue and Taxation, Ways and Means	
SAYLER, GEORGE C.	District 4
Health and Welfare, Resources and Conservation, Revenue and Taxation	
SCHAEFER, ROBERT E.	District 12
Commerce and Human Resources - Chair, Revenue and Taxation	
SHEPHERD, MARY LOU	District 2
State Affairs, Transportation and Defense	
SHEPHERD, PAUL E.	District 8
Resources and Conservation - Vice Chair, Education, Health and Welfare	
SHIRLEY, MACK G.	District 34
Education - Vice Chair, Agricultural Affairs, Judiciary, Rules and Administration	
SIMPSON, ERIK	District 32
Commerce and Human Resources, Environment, Energy and Technology, State Affairs	
SMITH, ELAINE	District 30
Business, Environment, Energy and Technology, State Affairs	
SMITH, LEON E.	District 24
Judiciary, Rules and Administration - Vice Chair, Revenue and Taxation, Transportation and Defense	

**HOUSE MEMBERS
AND COMMITTEE ASSIGNMENTS 2009**

STEVENSON, JOHN A.	District 26
Resources and Conservation - Chair, Agricultural Affairs, State Affairs	
TAKASUGI, PAT	District 10
Commerce and Human Resources, Environment, Energy and Technology	
THAYN, STEVEN P.	District 11
Commerce and Human Resources, Education, Health and Welfare	
THOMPSON, JEFF	District 33
Business, Education, Health and Welfare	
TRAIL, TOM	District 6
Agricultural Affairs - Chair, Commerce and Human Resources, Education	
WILLS, RICHARD	District 22
Ways and Means - Chair, Education, Judiciary, Rules and Administration, Transportation and Defense	
WOOD, FRED	District 27
Appropriations, Health and Welfare, Resources and Conservation	
WOOD, JOAN E.	District 35
Transportation and Defense - Chair, Resources and Conservation, Revenue and Taxation	

HOUSE STANDING COMMITTEES

as of May 8, 2009

Agricultural Affairs (10)

Trail, Chairman
Andrus, Vice Chairman

Lake
Stevenson
Bolz
Shirley
Patrick

Pence
Chavez
Killen

Appropriations (10)

Bell, Chairman
Bolz, Vice Chairman

Eskridge
Bayer
Henderson
McGeachin
Wood(27)
Patrick

Ringo
Jaquet

Business (17)

Black, Chairman
Henderson, Vice Chairman

Collins
Bilbao
Chadderdon
Crane
Mathews
Patrick
Bayer
Gibbs
Jarvis
Palmer
Thompson

Smith(30)
Rusche
Durst
Cronin

Education (18)

Nonini, Chairman
Shirley, Vice Chairman

Trail
Block
Nielsen
Chadderdon
Shepherd(8)
Wills
Marriott
Thayn
Gibbs
Hartgen
Thompson

Boe
Pence
Chavez
Durst
Chew

Environment, Energy and Technology (11)

Raybould, Chairman
Harwood, Vice Chairman

Anderson
Eskridge
Kren
Hartgen
Simpson
Takasugi

Smith(30)
Jaquet
Cronin

Health and Welfare (16)

Block, Chairman
Nielsen, Vice Chairman

McGeachin
Loertscher
Shepherd(8)
Luker
Marriott
Thayn
Boyle
Gibbs
Thompson
Wood(27)

Rusche
Chew
Durst
Saylor

Judiciary, Rules and Administration (15)

Clark, Chairman
Smith(24), Vice Chairman

Commerce and Human Resources (11)

Schaefer, Chairman
Marriott, Vice Chairman

Lake
Trail
Thayn
Hartgen
Simpson
Takasugi

Ringo
Pasley-Stuart
Higgins

Nielsen
Shirley
Wills
Hart
McGeachin
Bolz
Labrador
Luker
Kren

Boe
Burgoyne
Jaquet
Killen

HOUSE STANDING COMMITTEES
as of May 8, 2009

Local Government (11)

Barrett, Chairman
Bilbao, Vice Chairman

Collins
Clark
Bayer
Chadderdon
Henderson
Palmer

Boe
Burgoyne
Higgins

Resources and Conservation (18)

Stevenson, Chairman
Shepherd(8), Vice Chairman

Wood(35)
Bell
Barrett
Moyle
Eskridge
Raybould
Bedke
Andrus
Wood(27)
Boyle
Hagedorn
Harwood

Sayler
Chavez
King
Pence

Revenue and Taxation (18)

Lake, Chairman
Collins, Vice Chairman

Barrett
Moyle
Raybould
Roberts
Schaefer
Smith(24)
Wood(35)
Clark
Bedke
Harwood
Hart

Sayler
Killen
Ruchti
Burgoyne
Rusche

State Affairs (18)

Loertscher, Chairman
Anderson, Vice Chairman

Stevenson
Black
Andrus
Bilbao
Labrador
Luker
Crane
Mathews
Kren
Palmer
Simpson

Shepherd(2)
Smith(30)
Pasley-Stuart
King
Higgins

Transportation and Defense (15)

Wood(35), Chairman
Hart, Vice Chairman

Smith(24)
Roberts
Bedke
Wills
Nonini
Hagedorn
Jarvis
Labrador
Mathews

Shepherd(2)
Ringo
King
Ruchti

Ways and Means (7)

Wills, Chairman

Moyle
Bedke
Roberts

Rusche
Ruchti
Killen

HOUSE ATTACHES 2009

ALEXANDER, BONNIE..... **Chief Clerk
BAKER, BETTY.....Secretary to Judiciary, Rules, and Administration Committee
CHRISTENSEN, JUDITH..... Sergeant at Arms
COGGINS, JENNIFER..... Secretary to Health and Welfare Committee
DANIELS, LISA.....Secretary to Agricultural Affairs Committee
DOUGHERTY, TOM..... Chaplain
DOWNS, CATHY.....Minority Leadership Secretary
EIDEMILLER, ARLENE..... Telephone Operator
FRANKS-SMITH, TERRI..... **Chief Fiscal Officer
FRIEDERS, SUE.....**Administrative Assistant to the Speaker & Majority Leadership
GARDNER, PERRI.....Secretary to Minority Leadership
HEADY, PEGGY..... Chairmen's Suite Secretary
HOPKINS, JOANN.....Secretary to Revenue and Taxation Committee
HOWELL, CLAUDIA.....Secretary to Education Committee
MOLITOR, MARYLOU.....Secretary to Business Committee
NELSON, DONNA..... Telephone Operator
NELSON, MARISA.....Assistant to Minority Leadership
NOYES, AL..... Assistant Sergeant at Arms
OLDENKAMP, SUSAN.....Secretary to Resources and Conservation Committee
RECTOR, PATTI..... Assistant Chief Clerk
RYAN, CAROL.....Docket Clerk
SATER, ERIC..... Information Clerk
SCOTT, SHIRLEY..... Secretary
SHEEDY, LESLIE..... Journal Clerk
SULLIVAN, KATHLEEN.....Information Center Director
TAYLOR, CHRIS..... Journal Clerk
TIPPS, MARY.....Secretary to Commerce and Human Resources & Local Government Committee
TOLLEFSON, KATY..... Telephone Operator
WALKER, MARSHA..... Secretary to State Affairs Committee
WILLIAMS, CINDY..... Secretary to Transportation and Defense Committee
YOST, KATHRYN.....Secretary to Appropriations Committee

** Permanent Employees

HOUSE ATTACHES 2009

HOUSE PAGES

ALEXANDER, PHILIP

BASSINE, KRISTINA

BECK, TODD

BRUZAS, MARK

CUELLER, RACHEL

DUNCAN, BRIGHAM

FEHLMAN, MADELINE

FIGUEROA, ANDRES

FUECHSEL, BREANNA

GRAY, LEE

HALE, KEISHA

HERNANDEZ, GREGORIO

JOHNSON, SHIRIN

LIND, BRYSON

MAPES, TRAVYN

OLSEN, ERICA

POWELL, SPENCER

RICHTER, ANNA

ROJAS, BREANA

SCHMIDT, DANIELLE

WILLIE, TALEESHA

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

ORGANIZATIONAL SESSION
SIXTIETH LEGISLATURE

ORGANIZATIONAL DAY
THURSDAY, DECEMBER 4, 2008

House of Representatives

At the hour of 9 a.m., on Thursday, December 4, 2008, the members-elect of the House of Representatives convened in the House Chamber of the Capitol Annex Building in the City of Boise, with the Honorable Lawrence Denney, Speaker of the House of the Fifty-ninth Legislature presiding, assisted by Bonnie Alexander, Chief Clerk of the Fifty-ninth Legislature.

The Chief Clerk read the official proclamation as follows:

I, BEN YSURSA, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true and complete list of those elected to serve as members of the House of Representatives of the First Regular Session of the Sixtieth Legislature, as shown by official records on file in my office:

DISTRICT	NAME
1	Eric Anderson (R), George E. Eskridge (R)
2	Mary Lou Shepherd (D), R. J. "Dick" Harwood (R)
3	Jim Clark (R), Phil Hart (R)
4	Marge Chadderdon (R), George C. Sayler (D)
5	Bob Nonini (R), Frank N. Henderson (R)
6	Tom Trail (R), Shirley G. Ringo (D)
7	Liz Chavez (D), John Rusche (D)
8	Ken A. Roberts (R), Paul E. Shepherd (R)
9	Lawrence Denney (R), Judy Boyle (R)
10	Pat Takasugi (R), Darrell Bolz (R)
11	Steven P. Thayn (R), Carlos Bilbao (R)
12	Robert E. Schaefer (R), Gary E. Collins (R)
13	Brent Crane (R), Steve A. Kren (R)
14	Mike Moyle (R), Raúl R. Labrador (R)
15	Lynn M. Luker (R), Max C. Black (R)
16	Grant Burgoyne (D), Elfreda Higgins (D)
17	William M. "Bill" Killen (D), Susan B. "Sue" Chew (D)
18	Branden J. Durst (D), Phylis K. King (D)
19	Anne Pasley-Stuart (D), Brian Cronin (D)
20	Joe Palmer (R), Marv Hagedorn (R)
21	Richard Dean "Rich" Jarvis (R), Clifford R. Bayer (R)
22	Richard "Rich" Wills (R), Pete Nielsen (R)
23	Jim Patrick (R), Stephen Hartgen (R)
24	Leon E. Smith (R), Sharon L. Block (R)
25	Wendy Jaquet (D), Donna L. Pence (D)
26	John A. "Bert" Stevenson (R), Maxine T. Bell (R)
27	Scott Bedke (R), Fred Wood (R)
28	Dennis M. Lake (R), Jim Marriott (R)
29	Ken Andrus (R), James D. Ruchti (D)
30	Donna H. Boe (D), Elaine Smith (D)

31 Marc Gibbs (R), Thomas F. Loertscher (R)
 32 Janice K. McGeachin (R), Erik Simpson (R)
 33 Jeff Thompson (R), Russ Mathews (R)
 34 Mack G. Shirley (R), Dell Raybould (R)
 35 JoAn E. Wood (R), Lenore Hardy Barrett (R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital of Idaho, this Twenty-first day of November, in the year of our Lord, Two Thousand Eight, and of the Independence of the United States of America, the Two Hundred Thirty-third.

/s/ BEN YSURSA
Secretary of State

The Certificate of Election was ordered filed in the office of the Chief Clerk.

Roll call showed 68 members present.
 Absent and excused – Barrett, Wills. Total – 2.
 Total – 70.

At this time, Speaker Denney administered the oath of office to members-elect. He announced that he would administer the oath of office to Representatives Barrett and Wills upon their return.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

At this time, Representative Wood(35) took the Chair.

Nominations were declared in order for the Speaker of the House.

Mr. Moyle presented in nomination the name of Mr. Lawrence Denney. Seconded by Mr. Rusche.

Mr. Moyle moved that nominations cease and that a unanimous ballot be cast for Mr. Denney. Seconded by Mr. Rusche.

The question being, "Shall the motion carry?"

Whereupon Representative Wood declared the motion carried by voice vote and Mr. Lawrence Denney was elected Speaker of the House.

At this time, Mr. Moyle and Mr. Rusche escorted Mr. Denney to the podium where the oath of office was administered to him by Representative Wood.

At this time, Speaker Denney took the Chair.

Mr. Moyle moved that the House adopt as Temporary Rules and Temporary Joint Rules for the First and Second Sessions of the Sixtieth Legislature, the Rules and Joint Rules as adopted by the Fifty-ninth Legislature. Seconded by Mr. Rusche.

The questions being, "Shall the motion carry?"

Whereupon the Speaker declared by voice vote that a majority of the members having voted in the affirmative, the motion carried and the Temporary Rules and Temporary Joint Rules were adopted.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

At this time, the members selected their seats in accordance with House Rule 67.

Mr. Moyle moved that the House recess subject to Call of the Chair. Seconded by Mr. Rusche.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and the House was recessed subject to Call of the Chair.

Prior to recess, the House was at the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

The following Attache Committee assignment was announced by the Speaker:

ATTACHE COMMITTEE

Representative Bell, Chairman
Representative Crane
Representative Labrador

The following committee assignments were announced by the Speaker:

STANDING COMMITTEES OF THE HOUSE SIXTIETH IDAHO LEGISLATURE

AGRICULTURAL AFFAIRS (10)

Trail, Chairman
Andrus, Vice Chairman

Lake
Stevenson
Bolz
Shirley
Patrick

Pence
Chavez
Killen

APPROPRIATIONS (10)

Bell, Chairman
Bolz, Vice Chairman

Eskridge
Bayer
Henderson
McGeachin
Wood(27)
Patrick

Ringo
Jaquet

BUSINESS (17)

Black, Chairman
Henderson, Vice Chairman

Collins
Bilbao
Chadderdon
Crane
Mathews
Patrick
Bayer
Gibbs
Jarvis
Palmer
Thompson

Smith(30)
Rusche
Durst
Cronin

COMMERCE AND HUMAN RESOURCES (11)

Schaefer, Chairman
Marriott, Vice Chairman

Lake
Trail
Thayn
Hartgen
Simpson
Takasugi

Ringo
Pasley-Stuart
Higgins

EDUCATION (18)

Nonini, Chairman
Shirley, Vice Chairman

Trail
Block
Nielsen
Chadderdon
Shepherd(8)
Wills
Marriott
Thayn
Gibbs
Hartgen
Thompson

Boe
Pence
Chavez
Durst
Chew

ENVIRONMENT, ENERGY AND TECHNOLOGY (11)

Raybould, Chairman
Harwood, Vice Chairman

Anderson
Eskridge
Kren
Hartgen
Simpson
Takasugi

Smith(30)
Jaquet
Cronin

HEALTH AND WELFARE (16)

Block, Chairman
Nielsen, Vice Chairman

McGeachin
Loertscher
Shepherd(8)
Luker
Marriott
Thayn
Boyle
Gibbs
Thompson
Wood(27)

Rusche
Chew
Durst
Sayler

JUDICIARY, RULES AND ADMINISTRATION (15)

Clark, Chairman
Smith(24), Vice Chairman

Nielsen
Shirley
Wills
Hart
McGeachin
Bolz
Labrador
Luker
Kren

Boe
Burgoyne
Jaquet
Killen

LOCAL GOVERNMENT (11)

Barrett, Chairman
Bilbao, Vice Chairman

Collins
Clark
Bayer
Chadderdon
Henderson
Palmer

Boe
Burgoyne
Higgins

RESOURCES AND CONSERVATION (18)

Stevenson, Chairman
Shepherd(8), Vice Chairman

Wood(35)
Bell
Barrett
Moyle
Eskridge
Raybould
Bedke
Andrus
Wood(27)
Boyle
Hagedorn
Harwood

Sayler
Chavez
King
Pence

REVENUE AND TAXATION (18)

Lake, Chairman
Collins, Vice Chairman

Barrett
Moyle
Raybould
Roberts
Schaefer
Smith(24)
Wood(35)
Clark
Bedke
Harwood
Hart

Sayler
Killen
Ruchti
Burgoyne
Rusche

STATE AFFAIRS (18)

Loertscher, Chairman
Anderson, Vice Chairman

Stevenson
Black
Andrus
Bilbao
Labrador
Luker
Crane
Mathews
Kren
Palmer
Simpson

Shepherd(2)
Smith(30)
Pasley-Stuart
King
Higgins

TRANSPORTATION AND DEFENSE (15)

Wood(35), Chairman
Hart, Vice Chairman

Smith(24)
Roberts
Bedke
Wills
Nonini
Hagedorn
Jarvis
Labrador
Mathews

Shepherd(2)
Ringo
King
Ruchti

WAYS AND MEANS (7)

Wills, Chairman

Moyle
Bedke
Roberts

Rusche
Ruchti
Killen

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the Organizational Session of the Sixtieth Legislature adjourn Sine Die. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the motion carried and the Organizational Session of the Sixtieth Legislature adjourned Sine Die at 2:11 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 12, 2009

House of Representatives

The House convened at 12 noon, January 12, 2009, the time established for the convening of the First Regular Session of the Sixtieth Legislature, the members of the House of Representatives convened in the House Chamber of the Capitol Annex Building in the City of Boise, with Lawrence Denney, Speaker, presiding.

Roll call showed 69 members present.
Absent and excused – Barrett. Total – 1.
Total – 70.

At this time the Speaker put the House at ease for the Flag Ceremony.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Erica Olsen, Page.

Approval of Journal

January 12, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Organizational Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE RESOLUTION NO. 1 BY MOYLE AND RUSCHE A HOUSE RESOLUTION

DETERMINING THE SELECTION AND
COMPENSATION OF THE EMPLOYEES OF THE
HOUSE OF REPRESENTATIVES OF THE FIRST REGULAR
SESSION OF THE SIXTIETH IDAHO LEGISLATURE.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, House Rule 74 provides that the selection and compensation of the employees of the House of Representatives shall be determined by resolution of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, that the selection and compensation of the officers and employees of the House of Representatives of the First Regular Session of the Sixtieth Idaho Legislature be determined by the Speaker of the House of Representatives.

HOUSE CONCURRENT RESOLUTION NO. 1 BY MOYLE AND RUSCHE

A CONCURRENT RESOLUTION

PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE FIRST REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE FOR THE PURPOSE OF HEARING A MESSAGE FROM THE GOVERNOR.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Governor has informed the House of Representatives and the Senate that he desires to deliver a message to a Joint Session of the House of Representatives and the Senate of the First Regular Session of the Sixtieth Idaho Legislature in the Special Events Center at Boise State University at 3 p.m. on Monday, January 12, 2009.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the House of Representatives and the Senate meet in Joint Session on Monday, January 12, 2009, at 3 p.m. for the purpose of hearing the message from the Governor.

HR 1 and **HCR 1** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Moyle asked unanimous consent that two committees be appointed by the Speaker; one to notify the Governor, and one to notify the Senate that the House is organized and ready to do business. There being no objection, it was so ordered.

The Speaker appointed the following committees to notify the Governor and the Senate.

Representatives Bolz, Mathews, and Chavez were appointed as the committee to notify the Governor and Representatives Anderson, Andrus, and King were appointed as the committee to notify the Senate. The committees were excused.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

January 12, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed **HCR 1**.

CLARK, Chairman

HCR 1 was ordered held at the Desk.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HCR 1** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 1** be

read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Anderson, Andrus, Barrett, Bolz, Chavez, King, Mathews. Total – 7.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 1** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **HCR 1** be adopted?"

Whereupon the Speaker declared **HCR 1** adopted by voice vote and ordered the resolution transmitted to the Senate.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

The following committee assignments were made:

Lincoln Day Committee

Representative Wills, Chairman
Representative Nonini
Representative Boe

Memorial Day Committee

Representative Wood(27), Chairman
Representative Luker
Representative Jaquet

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

The committee appointed to notify the Governor that the House was in session returned to the House and reported they had conveyed the message to the Governor and that the Governor sent his greetings and best wishes for a productive session. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate that the House was in session returned to the House and reported that they had conveyed the message to the Senate, and the Senate returned its

best wishes for a productive session. The committee was thanked and discharged by the Speaker.

At this time, Senators acting as a committee from the Senate, were escorted into the House Chamber to notify the House of Representatives that the Senate was organized and ready for business. The Speaker thanked the committee.

Mr. Moyle moved that the House recess until 2:30 p.m. in the Special Events Center at Boise State University. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 2:30 p.m.

RECESS Afternoon Session

The House reconvened at 2:30 p.m. in the Special Events Center at Boise State University, the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Barrett, Killen. Total – 2.

Total – 70.

Prior to recess, the House was at the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle asked unanimous consent that a committee be appointed to wait upon the Senate and escort the Senators to the Special Events Center for the purpose of attending the Joint Session. There being no objection, it was so ordered.

The Speaker appointed Representatives Wood(35), Hart, and Smith(30) as the committee to wait upon the Senate. The committee was excused.

The committee appointed to wait upon the Senate returned and reported that the Senate was waiting to enter the Special Events Center. The Speaker thanked and discharged the committee.

JOINT SESSION

Pursuant to **HCR 1**, the hour of 3 p.m. having arrived, the members of the Senate entered the Special Events Center and met in Joint Session with Speaker Denney presiding.

Roll call of the House showed 68 members present.

Absent and excused – Barrett, Killen. Total – 2.

Total – 70.

Roll call of the Senate showed 33 members present.

Absent and excused – Keough. Total – 1.

Vacant – 1.

Total – 35.

Mr. Moyle asked unanimous consent that one committee be appointed to wait upon the Supreme Court Justices and Appellate Court Judges and one to wait upon the Elected Officials and escort them to the Special Events Center. There being no objection, it was so ordered.

The Speaker appointed Senators Darrington and Bock and Representatives Clark and Boe as the committee to wait upon the Supreme Court Justices and Appellate Court Judges and Senators Stegner and Werk and Representatives Bell and Sayler as the committee to wait upon the Elected Officials and escort them to the Special Events Center. The committees were excused.

Mr. Moyle asked unanimous consent that the Speaker appoint a committee to wait upon the Governor and escort him to the Special Events Center. There being no objection, it was so ordered.

The Speaker appointed Senators Davis and Kelly and Representatives Moyle and Rusche as the committee to wait upon the Governor and escort him to the Special Events Center. The committee was excused.

The committee appointed by the Speaker escorted the Supreme Court Justices and the Appellate Court Judges to the Special Events Center where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Elected Officials to the Special Events Center where they were presented to the Joint Session.

At this time the Speaker put the Joint Session at ease. An Honor Guard consisting of members of the Idaho State Police presented and posted the United States flag and the Idaho State flag. The Pledge of Allegiance was led by Speaker Denney.

The National Anthem was sung by Elise Davis, Miss Idaho 2009.

Prayer was offered by Chaplain Tom Dougherty.

The committee appointed by the Speaker escorted the Governor to the Special Events Center.

His Excellency, the Governor of the State of Idaho, C. L. "Butch" Otter, was introduced by the Speaker and the following State of the State Message and Budget Address was delivered by Governor Otter.

Mr. Speaker, Mr. President, Mr. Pro Tem, honorable members of the Legislature, Mr. Chief Justice and distinguished members of the Judiciary, my fellow Constitutional Officers, First Lady Lori, my family, and my fellow Idahoans.

Before I begin, let me recognize our NEW lieutenant governor, Brad Little. Congratulations Brad, and good luck.

Thank you for being here today, for the second and probably the last time that this State of the State address will be delivered at Boise State University's Special Events Center.

I'm grateful to President Kustra and his staff for being our hosts in this fine facility. My thanks to Bob and Kathy Kustra, and all our hosts here at Boise State.

Also, I want to thank those of you who are watching or listening to this broadcast across the Great State of Idaho.

And I want to send along Idaho's collective prayers and best wishes to former Senator Jim McClure, for a speedy and full recovery. God bless you Jim and Louise. You remain in our thoughts and prayers.

It's my hope and certainly our intention that we all will be back in the renovated Capitol Building by this time next year. Work there is progressing well - on time and on budget - and the restored Capitol promises to be a grand and historic home for the people's business for years to come.

This is a rare and wonderful opportunity for all the people of Idaho to participate in our government - in this great legislative process that is the manifestation of our freedom and our responsibility as citizens, and as a state.

Times such as these make it possible to celebrate, reflect and learn from the miracle of Philadelphia.

Ladies and gentlemen, as a member of the Idaho House of Representatives 32 years ago, I ran for Governor on the principle that Idaho can become what America was meant to be. I believe now as I did then that Idaho has a better chance than anywhere else of becoming what the forefathers envisioned in Philadelphia.

There is no doubt that our nation is going through troubled times. But I firmly believe that Idaho can provide leadership for an anxious nation - to be what Franklin referred to as the "Laboratory of the Republic."

States have a unique ability and I believe a responsibility to experiment and make America better for future generations.

Of course that means keeping the ideals of freedom, personal responsibility, and empowerment of the people at the forefront of any government agenda.

Indeed, in these times of economic challenges and societal change, there is no time like NOW to realize the hopes and dreams of present and future generations of Idahoans.

Hopes for a state where individuals and ideas can take root and grow.

Dreams of a state government that understands its intended role in people's lives and - first and foremost - a government that understands how to live within the people's means.

As you all know, our "means" are not what they were when we last met here a year ago.

Idaho has had several years of being among the nation's economic leaders, growing at a phenomenal pace. But as the nation's economy has slowed and even stalled, so has Idaho's.

We are better off than many states. However, we as leaders must be sensitive to the fact that far too many Idahoans are out of work or under-employed. Too many Idahoans are struggling to make ends meet, and having to make tough choices in their personal and household budgets.

We are not immune from the global economic downturn.

While it may not feel like it now, your wisdom and frugality have helped position us to make Idaho's recovery less difficult and - we hope - quicker than it might otherwise be.

Idaho's independent, common-sense character and wise regulatory oversight under Finance Director Gavin Gee have kept us and our financial institutions out of the riskier and more volatile situations contributing to the world's economic challenges.

The diversity and entrepreneurial spirit of Idaho's citizens has enabled us to make real progress in advancing initiatives on energy, the environment and job development. And our conservative values and commitment to making the best use of our resources are contributing to a positive sense of community, shared responsibility and real opportunity.

I applaud all Idahoans for pulling together and recognizing opportunities to help a neighbor, or to support your local businesses - especially during the past holiday season.

No doubt about it - times are tough. But they have been tough before, and we have weathered the storm by working together with a common purpose.

The economists tell us we're in a recession. Well, a generation of great Idahoans lived through the Depression and came out stronger and more determined to succeed - heroes like Warren McCain, Louise Shadduck, J.R. Simplot, and Medal of Honor recipient Ed Freeman.

They and many others of their generation set a standard for grace and grit that we would all do well to emulate. It is my hope that we can honor their memories and their sacrifices by responding to difficult times with selflessness and high regard for our fellow man.

Idaho also was struggling through a rough patch in our economy when I served as lieutenant governor in 1987. Back then, people were saying the state of Idaho might as well just turn out the lights and quit - that things would never be as good again as they had been prior to that economic downturn.

Well, they were wrong then, and the naysayers are just as wrong now!

I'm not wearing rose-tinted glasses. But I am a glass-half-full kind of guy.

I know those of us in state government are facing the same kinds of painful, gut-wrenching choices that individuals and families all over Idaho are making with their personal finances. And the decisions you and I make will bear on the ability of every Idahoan to fulfill their own responsibilities.

But we have the experience, the knowledge, the talent, and the determination to come out of this stronger and better than we were before - just as Idaho has done in the past.

Now - as you know - declining revenue prompted my decision to order holdbacks totaling 4 percent of the General Fund money appropriated for the budget year that now has reached its midpoint.

State agencies also are holding an additional 2 percent of their General Fund appropriations in reserve as a hedge against further revenue declines.

The impact is serious.

Fundamental changes are being made in the way we do business. Every director, administrator and employee in state government is re-evaluating processes and rethinking priorities.

Some services that were meeting public demands - and in some cases have become expected of state government - have had to be reduced or eliminated.

Our new Zero-Base Budgeting process already is identifying a number of programs and operations that have been pursued or continued at taxpayer expense but with no specific statutory authority or direction.

It is my intent to continue an unrelenting scrutiny of state government programs that use Idahoans' hard-earned dollars.

Make no mistake: Nobody enjoys cutting budgets. I understand real people with real needs are affected. The decisions are difficult and always made only after careful consideration.

The question that you and I must honestly answer on every occasion is whether meeting those real needs falls within the sphere of the necessary and proper role of taxpayer-funded government services.

While we are hopeful for a speedy economic recovery, it is our responsibility to prepare for the worst - to be careful stewards of taxpayer dollars.

We have a constitutional requirement to provide a balanced budget. And that requirement becomes especially important when - as now - the economic forecast is relatively bleak.

To that end, I am submitting a Fiscal 2010 budget to you today that reflects both our caution and our continuing efforts to ensure Idaho meets the future head-on.

I'm calling for a reduction in total General Fund spending of more than 7 percent from what initially was approved for Fiscal 2009. That reflects a realistic and thorough assessment of our needs and our capabilities. And I believe it reflects the kind of frugality and common sense that most Idahoans expect and deserve.

As you know, public schools are exempted from this year's budget holdbacks, thanks to the Public Education Stabilization Fund that you established during better economic times.

It would have been unfair and unwise to ask public schools to share in the burden of budget holdbacks in the middle of an academic year.

There simply was too little time and too many obligations already made on the local level for school officials to make the adjustments that would have been needed to reduce their spending so significantly.

But there is time, and unfortunately there is the need for public schools to be included in the difficult realities of our economy as we plan for Fiscal 2010.

The budget recommendation you received today includes a General Fund allocation for public schools that is about 5-and-one-third percent less than this year's appropriation.

However, the \$1 billion, 425 million I'm proposing for K-through-12 education next year still represents almost half our total General Fund budget.

And the fact is that my proposed public schools budget is reduced FAR less than I'm recommending for other state agencies.

For example, my General Fund budget proposal for Health and Welfare is down 7 1/2 percent. Higher education is down almost 10 percent; the departments of Correction and Water Resources each are down almost 12 percent. The Department of Agriculture recommendation is down more than 31 percent, Commerce more than 51 percent, and Parks and Recreation almost 56 percent.

The K-12 budget I'm proposing also does not dip any further into the public school rainy day funds.

The unfortunate reality is we just don't know how long or how bad this economic downturn is going to be. It is by far the wiser and more prudent course to be cautious and conservative in how we use reserve accounts. Indeed, my overall budget recommendation calls for using no more than 35 percent of the total reserves in our rainy day funds to see us through Fiscal 2009 and throughout Fiscal 2010.

I am confident that many of you have ideas for improving on my budget recommendation. That's as it should be. Idaho is

depending on each of us to work together for the good of all our citizens.

We are fortunate to have the strong, statewide perspective of Chairmen Bell, Cameron, Hill and Lake guiding our efforts. But my job is to lead the way by recommending what the people, the laws of our great state and the Constitution on which they are based require of our government - of the people's servants.

At the same time, my budget recommendation lays the foundation for advancing Project 60 - which is crucial in positioning Idaho for economic recovery and future prosperity.

My plan for growing Idaho's economy and creating good jobs for years to come already is under way - and showing results. Commerce Director Don Dietrich is leading this program, working in tandem with agencies throughout state government and with the private sector.

One of its goals is nurturing a new generation of entrepreneurial giants.

We want to encourage and create a climate that enables visionaries like the Simplots, Albertsons and Morrisons of yesterday - and like the Parkinsons, Hagadones, Vandersloots and Sayers of our own generation - to create more jobs and brighter futures for Idaho families and communities.

Project 60 involves almost every element of state policy - from education and workforce development to quality of life and recruiting foreign investment and trade. It is designed to strengthen both our rural and urban communities, to leverage our strengths here at home while taking advantage of the dollar's weakness abroad.

But Project 60's success - and in large measure Idaho's success - depends on our willingness to address the infrastructure challenges we face - not only roads and bridges but energy transmission, water supply, information networks and educational resources.

Elements of Project 60 are being applied to our work with such companies as AREVA, ALK Abello Source Materials, Hoku, DOT Foods and many others.

The initiative is driving our retooled Innovation Council, which is going to take the lead in technology transfer and commercialization.

The Innovation Council's marching orders are to provide a practical and business-oriented approach to turning ideas into jobs and economic activity. That means working more closely with the Idaho National Laboratory as it enters its seventh successful decade in Idaho. It means coordinating the efforts of our colleges and universities and other research partners - public and private - to quickly and efficiently determine what works and how it can be applied in the marketplace.

Folks, we are leaving no stone unturned in our search for ways to add value to Idaho and our economy.

For instance, we were ready when Congress approved the Neighborhood Stabilization Program late last summer in response to the foreclosure crisis. Now we are only awaiting federal approval of our plan for making the best use of \$19.6 million in assistance to Idaho families.

The plan put together skillfully by Gerald Hunter and his committee of stakeholders focuses on areas of Idaho where foreclosures hit communities hardest last year, and where these

critical housing resources are needed most. We hope to see that federal financial help arriving within a few months.

Another element of our efforts is the work of the Pacific Northwest Economic Region - otherwise known as PNWER.

PNWER is an important forum for public-private partnership in economic development and global competitiveness. Its reach extends throughout the Northwest United States and western Canada. And I'm pleased to announce today that Idaho will be hosting PNWER's 19th Annual Summit this coming July 12th through the 16th, here in Boise.

In fact PNWER has a delegation with us here today.

Idaho truly is part of a national and a global economy.

There's no getting around the fact that our fortune and our future is tied to that of our nation and the world. But once again: It's up to each of us to fully play a role in our economic recovery. It's up to each of us to ensure people have the tools they need to live up to their individual potential.

If Idaho is going to compete effectively in the marketplace of goods and ideas, it is critical that we as a state provide the infrastructure for success. That means clean air and water. It means education, energy and information. And it means safe, efficient corridors of commerce.

It means transportation.

No other issue has dominated public discourse or my own efforts more over the past year than how to address the enormous and growing backlog of maintenance and construction needs on our system of highways and bridges.

I have appreciated working on this issue with many of you, with our Transportation Board and with local leaders and citizens in every corner of our state. The result of those labors is a plan that I believe is reasonable, achievable, and absolutely essential to our economic well-being and Idaho's prospects for the future.

Just as importantly, it reflects what I heard during months of listening to the people we serve statewide, conferring with experts here and in other states, and challenging everyone involved to think creatively.

And now I'm challenging you to join me in making the tough choices that will be necessary to achieve our transportation goals.

As was reported last month, my plan boils down to three points.

First, accountability and efficiency.

Money we already have and any new revenue we generate must be put to work as efficiently as possible. We must be able to see measurable results from those efficiencies to ensure that they meet our expectations.

That's why I directed the Idaho Transportation Department last month to immediately cut its administrative costs by 10 percent. That's consistent with the kind of efficiencies that other agencies are being required to identify, even though ITD's revenue is not part of the General Fund.

In addition, ITD will be submitting an annual accountability report to me, the Idaho Transportation Board, and the chairs of the House and Senate Transportation committees. That report will

detail all the revenue generated for transportation work each year, and exactly where and how it's spent.

The report also will provide updates on ITD's progress toward implementing the recommendations of all legislative audits and outside reviews of the agency's operations.

Additional accountability measures will be put in place - and they will be closely monitored to ensure that all transportation dollars are put to their best and most efficient use.

But no amount of efficiency - however important - will make up for the hard fact that we have let our investment deteriorate. We have not kept up with the kind of maintenance and repairs that any good enterprise must make a priority for such a basic capital resource. And we have not kept up with our population growth or the demands of our citizens and economy.

Simply put, our transportation revenue system isn't designed to meet our needs today.

So the second part of my plan is generating new revenue.

I'm proposing to increase our fuel tax by 2 cents a gallon in each of the next five years - for a total of a 10-cent increase in the tax, to 35 cents a gallon.

That will bring in about \$17.6 million in additional fuel tax revenue the first year. And after five years it will generate a total of about \$88 million a year extra for transportation.

To put that in perspective, we raised the fuel tax to 25 cents 13 years ago. And now here we are trying to accomplish 2009 goals with 1996 dollars. Everyone in this room or listening to me throughout Idaho today - everyone who has a household budget or runs a business - knows that just doesn't work.

So I also will be asking you to approve increases in our vehicle registration fees in a way that updates our system while continuing to take the age of vehicles into account.

My plan will raise about \$15 million in new revenue from registration fees in the first full year it's implemented. After five years, the registration changes I'm proposing will generate about \$51 million a year in additional revenue.

I also am proposing a 6-percent excise tax on car rentals, and that we eliminate the ethanol exemption from the fuel tax. And I want to shift the 5 percent of fuel tax revenue that the Idaho State Police NOW gets in order to put another \$16 million a year into our roads and bridges.

Along with registration fee and fuel tax increases for truckers, the third part of my plan includes establishing a task force on truck transportation to study the validity of - and perceived inequities in - Idaho's truck registration system.

At the same time, I'm going to take the advice of House Transportation Chairman JoAn Wood.

And by the way, I want to thank JoAn AND Senate Transportation Chairman John McGee for their work and leadership on this issue.

Chairman Wood has been saying for some time that the General Fund should be contributing to our transportation system. So I'm going to direct the Tax Commission to set up a system to track the sales of all automobiles, tires and auto parts.

Determining the size and stability of that particular revenue stream is a necessary step before we can even consider using those sales tax receipts for our highways and bridges. While I am

not advocating a shift in those revenues today, it is important for us to compile the data so that we can make informed decisions down the road.

My overall plan ultimately will raise more than \$174 million a year in new revenue for transportation after five years. Now, I know that's not the \$240 million a year that we all have been talking about. But these are difficult times for many Idahoans. And as I said earlier, it is important that we find ways to do our jobs within their means.

I also am convinced that we don't yet fully understand all that we as a state - as a family - are capable of achieving together.

So along with a lot more efficiency, greater accountability and setting our priorities wisely, six months of listening to the Idahoans who hired us tells me that this conservative, measured and phased-in approach will work.

Now, I know there is never a good time to raise taxes or user fees.

I have fought against over-taxation my entire career - here at home and as a member of Congress.

But I also am an old farmer and agri-businessman. I know what it is to struggle with the cost of staying in business - much less planning for the next year's budget.

And ladies and gentlemen, I can tell you that we are shirking our responsibility and ignoring the facts if we don't step up to our duty to maintain what taxpayers already have built, to do what's necessary to sustain and enhance our economy and quality of life.

Answering our transportation challenges - like facing our budget dilemma - will require the vision to see opportunities where some might see only problems.

The time for debate has passed. We have talked this issue to death.

And to paraphrase Teddy Roosevelt, "Rhetoric is a poor substitute for action. If we are really to be a great (state), we must not merely talk (big) - we must ACT big."

It will require that same kind of vision and commitment-to-act if we are to tackle our other important and pressing concerns - from jobs and energy to education and health care. But we must never forget that our challenges are not about "us." They are about the people we serve and the principles that guide our course.

As President Eisenhower once said, our principles must be in furtherance of "a nation whose every citizen has reason for bold hope, where effort is rewarded and prosperity shared, where freedom expands and peace is secure."

President Eisenhower also said that, "Policies not based on principle retreat to expediency."

Folks, I will not retreat to expediency!

Idaho taxpayers are struggling. And that means we must fulfill our commitment to keep increasing the grocery tax credit. The budget I'm submitting today does just that and holds us to a principle-based policy that empowers Idahoans.

Of course, education is the surest and best way to empower Idahoans to reach their own greatest potential - and, by extension, to help our state become what America was meant to be. Providing Idaho children with a quality education is a constitutional imperative, and it is a proper role of government.

Yet costs and bureaucratic hurdles associated with the administration and governance of education too often keep us from doing as much as we should to prepare our children to become citizens capable of fully participating in society and the economy.

So I will be presenting you with a comprehensive plan for reorganizing our education policy and governance system on the state level.

The plan was developed in close cooperation with the State Board of Education and the State Department of Education. It was reviewed by Senator Goedde, Representative Nonini, Board President Milford Terrell, Superintendent Tom Luna and many others.

Our goal is clarifying responsibilities and lines of authority for programs that represent almost two-thirds of our total General Fund expenditures. The State Board of Education now is far too involved in the day-to-day operations of such programs as the Commission for Libraries, the Historical Society, Vocational Rehabilitation and even the Archeological Survey. While each is important individually, they are not properly within the Board of Education's oversight.

To achieve our goal, I will be proposing legislation returning the Board of Education to the policy-setting mission envisioned in the Idaho Constitution.

My plan also will reinforce the State Department of Education's role as THE state agency responsible for K-12 education. Many operational functions now in the Boards' hands will be shifted to the Department of Education or the Department of Self-Governing Agencies.

The result will be a Board refocused on oversight, higher education, and the big policy issues facing our educational community statewide. What's more, these changes will help US more effectively and efficiently pursue our goal of creating a public school system in Idaho that is second to none - one that puts aside shopworn practices and prejudices to seek excellence for every Idaho child.

While I'm on the topic of preparing ourselves for the future, let's talk for a minute about health care.

As you know, with the help of Joyce McRoberts, I convened a panel of leading health-care stakeholders from throughout Idaho in August 2007. It developed recommendations for how to make health care more affordable and accessible for Idahoans.

I then formed a smaller Select Committee of health-care experts led by Stephen Weeg to take those recommendations on the road and listen to what Idahoans had to say. The committee members have my sincere thanks. And I want to wish Chairman Weeg a full and speedy recovery from his recent successful heart surgery.

Talk about going the extra mile to explore an issue!

So this coming Saturday, January 17th, I will reconvene the original Idaho Health Care Summit participants to review the Select Committee's findings and develop a final implementation plan.

But the committee's recommendations also include some steps that can be taken immediately, and at little or no cost to taxpayers. They include the HEALTHY IDAHO program - affordable individual and family insurance packages for citizens between the ages of 25 and 40 - who make up the largest group of Idahoans who are uninsured.

The packages are offered by private insurers who have been working in partnership with my Select Committee. They offer wellness and preventive care with low co-pays, deductibles as low as \$1,000 and premiums of \$200 or less per month.

Easy-to-understand information and everything you need to enroll is available through a "Healthy Idaho" link on the Idaho Department of Insurance Web site.

At the same time, our Idaho Health Data Exchange is making great progress in connecting doctors, hospitals, and other health-care facilities to enhance the coordination and quality of care for Idahoans throughout our state.

We are stepping up our efforts to inform doctors about the Exchange and sign them up to participate. What health-care providers are finding is that the Exchange will enable them to receive and review test results on their patients electronically, communicate securely with other participating doctors, and even use the system's e-prescription functions.

The idea is to make quality health care more efficient, less costly and - as a result - more accessible to all Idahoans. Yet greater accessibility and affordability are only possible if we have the health-care providers available to treat Idahoans.

I applaud the efforts you have approved so far to increase the number of nurses and other health-care professionals being trained to meet the growing demand for their services right here at home.

But I think we can all agree that our growing and aging population needs more.

So at the recommendation of my Select Committee, I'm establishing an Idaho Health Professions Education Council to lead and coordinate our efforts to address our needs today and into the future.

This is an idea that has worked well in Utah and other states. I've asked Lewis-Clark State College Vice President and Provost Tony Fernandez to lead the council. It will have no more than eight members, and will include representatives from our colleges and universities, health organizations, and members of the public. To keep it focused on its mission, the council won't become part of any bureaucracy or take on any larger agenda. And it will report directly to me.

Now before we wrap this up, let me take just a couple of minutes to mention an upcoming event - the likes of which Idaho has never seen. As you know, the 2009 Special Olympics World Winter Games are coming to Idaho next month!

What you probably did not know is that it will include more athletes and participating nations than the 2002 Winter Olympics in Salt Lake City. There also will be thousands of coaches, officials, families, friends and fans traveling here.

The World Winter Games will be the largest multi-day winter sporting event ever held in our state. Folks, February 7th through the 13th will be an opportunity for all of Idaho to shine in the international spotlight.

Thanks to the generous support of you and the people of Idaho, the incredible leadership of my friends Chip Fisher and Jim Schmit, and the work of their entire team, the World Winter Games promise to be the kind of positive, memorable and inspirational experience that will benefit our state for years to come - FAR beyond the dollars and cents it will generate. So please come out and support our visitors. Be a fan!

Ladies and gentlemen, as most of you know I've had hip surgery since my last State of the State address. I also have traveled with Idaho businesses to sell our products in Mexico, Hong Kong, Macau, Vietnam and Taiwan. I have signed agreements ending years of conflict and legal wrangling over grass field burning and nuclear waste. And I have brought state government to the people in New Plymouth, Firth, Priest River, Malad, Emmett, Arco, Homedale, Sugar City, St. Maries and Rathdrum.

Later this month I will be in Horseshoe Bend to continue my Capital for a Day effort to reach out to people and communities in every corner of Idaho. In these difficult and trying times, it's more important than ever to ensure that ALL Idahoans have access to the people and programs that serve them.

I know that you share my commitment to that ideal, and to the principles of limited government and unlimited opportunity that shape our thoughts and actions as public servants.

I know that you share my administration's goals of promoting responsible government, enhancing economic opportunity, and empowering Idahoans. I know that you are as devoted as I am to advancing those goals decisively - with certainty - but also with compassion.

And speaking of compassion, I also think it's worth noting that the more quickly you do the people's business the more of their money you save.

With that, let me just say I am proud to be associated with each and every one of you, and to join you in this noble endeavor of continuing to make Idaho what America was meant to be. Thank you. Good luck and Godspeed.

The Speaker thanked Governor Otter for his message.

The committees came forward and escorted the Governor, the Supreme Court Justices, the Appellate Court Judges and the Elected Officials from the Special Events Center and were, on their return, thanked and discharged by the Speaker.

Mr. Moyle moved that the Governor's State of the State Message and Budget Address be printed in both the House and Senate Journals. Seconded by Mr. Rusche.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and ordered the Governor's State of the State Message and Budget Address printed in both the House and Senate Journals.

Mr. Moyle moved that the Joint Session be dissolved. Seconded by Mr. Rusche. Motion carried.

The Senate returned to its Chamber.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, January 13, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:52 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 13, 2009**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Barrett, Ringo. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Madeleine Fehlman, Page.

Approval of Journal

January 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the First Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 12, 2009

Mr. Speaker:

I return herewith **HCR 1** which has passed the Senate.

WOOD, Secretary

HCR 1 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

January 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed **HR 1**.

CLARK, Chairman

HR 1 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 2 BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

PROVIDING FOR PRINTING THE SESSION LAWS, FIXING THE PRICE FOR PRINTING THE SAME, AND THE PRICE WHICH THE PUBLIC SHALL BE CHARGED FOR COPIES OF THE SESSION LAWS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Section 67-904, Idaho Code, has made provisions for the printing of the Session Laws;

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, in accordance with a written contract duly made and entered into by the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract for the printing of the Session Laws of the First and Second Regular Sessions and any Extraordinary Session of the Sixtieth Idaho Legislature in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the Joint Printing Committee as party of the first part, and THE CAXTON PRINTERS, LTD., Caldwell, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

PRINTING CONTRACT

THIS AGREEMENT, made and entered into the 15th day of January, 2009, by and between the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the Joint Printing Committee, hereinafter referred to as party of the first part, and THE CAXTON PRINTERS, LTD., Caldwell, Idaho, hereinafter referred to as party of the second part:

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to said THE CAXTON PRINTERS, LTD., as follows:

SESSION LAWS

FIRST AND SECOND REGULAR SESSIONS AND ANY EXTRAORDINARY SESSIONS SIXTIETH LEGISLATURE

As outlined in the December 5, 2008 quote of the party of the second part, the Session Laws will be printed and charged at a price per page not to exceed nineteen dollars and ten cents (\$19.10) based on incremental numbers of copies ordered. The number of copies to be supplied under this contract shall be specified at the time of order. The charge for individually binding the books shall not exceed ten dollars and twenty-five cents (\$10.25) per volume based on the number of copies ordered. The party of the second part shall provide additional copies to be made available for sale to the general public, and based on the number of copies ordered by the party of the first part, the price to the general public shall not exceed forty-seven dollars and fifty cents (\$47.50) for single volumes and sixty dollars and fifty cents (\$60.50) per set of two volumes if a second volume

is required. The Session Laws of any Extraordinary Session adjourned prior to June 1, 2009, shall be included in the Session Laws of the First Regular Session, or if adjourned prior to June 1, 2010, shall be included in the Session Laws of the Second Regular Session. No charge shall be made by the party of the second part for proofreading or blank pages.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as submitted in the quote of the party of the second part dated December 5, 2008, in compliance with the statutes of the state of Idaho where not otherwise provided, such statutes shall be controlling.

IT IS FURTHER AGREED that said Session Laws shall be printed, delivered and be ready for distribution by the Secretary of State in conformity with the provisions of Section 67-904, Idaho Code, which section is hereby referred to and by such reference made a part of this contract as though set forth herein at length.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Lawrence Denney
LAWRENCE DENNEY, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE

By /s/ Jim Clark
JIM CLARK, Chairman

By /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE
By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

Party of the Second Part

THE CAXTON PRINTERS, LTD.
By /s/ Dave Gipson
DAVE GIPSON, President

**HOUSE CONCURRENT RESOLUTION NO. 3
BY JUDICIARY, RULES AND ADMINISTRATION
COMMITTEE**

A CONCURRENT RESOLUTION

**PROVIDING FOR PRINTING THE HOUSE AND
SENATE PERMANENT JOURNALS AND FIXING THE
PRICE FOR PRINTING THE SAME.**

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Section 67-509, Idaho Code, has made provisions for the printing of the House and Senate Permanent Journals;

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, in accordance with a written contract duly made and entered into by the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the House Judiciary, Rules, and Administration Committee, and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract

for the printing of the House and Senate Permanent Journals in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee, as party of the first part, and CUSTOM PRINTING, INC., Nampa, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

PRINTING AGREEMENT

THIS AGREEMENT, made and entered into the 15th day of January, 2009, by and between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee of the First Regular Session of the Sixtieth Idaho Legislature, hereinafter referred to as party of the first part, and CUSTOM PRINTING, INC., Nampa, Idaho, hereinafter referred to as party of the second part:

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to the said CUSTOM PRINTING, INC. as follows:

**HOUSE AND SENATE PERMANENT JOURNALS
FIRST AND SECOND REGULAR SESSIONS
AND ANY EXTRAORDINARY SESSIONS
SIXTIETH LEGISLATURE**

As outlined in the November 11, 2008 quote of the party of the second part, the House and Senate Permanent Journals will be printed and charged at a price per page of thirty-two dollars (\$32.00) not to exceed one hundred and fifty (150) copies of the House Permanent Journal and one hundred and fifty (150) copies of the Senate Permanent Journal. The number of copies to be supplied under this contract shall be specified at the time of order. Included in the price, the party of the second part will print and bind six (6) hard-bound gold lettered volumes for the House and seven (7) hard-bound gold lettered volumes for the Senate. Additional hard-bound gold lettered volumes can be ordered at an additional sixty dollars (\$60.00) per volume.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as included in the bid specifications, in compliance with the statutes of the state of Idaho where not otherwise provided, such statutes shall be controlling. Upon failure to deliver such House and Senate Permanent Journals in the manner and within the time herein specified, this contract may be deemed terminated forthwith at the option of the party of the first part and recourse had against the bond of the party of the second part.

IT IS FURTHER AGREED that said House and Senate Permanent Journals shall be printed, delivered and be ready for distribution in conformity with the provisions of Section 67-509, Idaho Code, which section is hereby referred to and by such reference made a part of this contract as though set forth herein at length.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part
By /s/ Lawrence Denney
LAWRENCE DENNEY, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE

By /s/ Jim Clark
JIM CLARK, Chairman

By /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

Party of the Second Part

CUSTOM PRINTING, INC.

By /s/ Michael B. Cutler
MICHAEL B. CUTLER

**HOUSE CONCURRENT RESOLUTION NO. 4
BY JUDICIARY, RULES AND ADMINISTRATION
COMMITTEE**

A CONCURRENT RESOLUTION

PROVIDING FOR PRINTING OF HOUSE AND SENATE BILLS, RESOLUTIONS, MEMORIALS AND AMENDMENTS, AND FIXING THE PRICE FOR PRINTING THE SAME.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee have, according to law, made provisions for the printing of the House and Senate bills, resolutions, memorials and amendments;

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, in accordance with a written contract duly made and entered into by the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the House Judiciary, Rules, and Administration Committee, and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract for the printing of the House and Senate bills, resolutions, memorials and amendments, in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee, as party of the first part, and the BUREAU OF COPY AND RECORDS SERVICES, Boise, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

PRINTING AGREEMENT

THIS AGREEMENT, made and entered into the 15th day of January, 2009, by and between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee of the First Regular Session of the Sixtieth Idaho Legislature, hereinafter referred to as party of the first part, and, the BUREAU OF COPY AND RECORDS SERVICES, Boise, Idaho, hereinafter referred to as party of the second part:

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to the said BUREAU OF COPY AND RECORDS SERVICES as follows:

HOUSE AND SENATE BILLS, RESOLUTIONS,
MEMORIALS AND AMENDMENTS
FIRST AND SECOND REGULAR SESSIONS
AND ANY EXTRAORDINARY SESSIONS
SIXTIETH LEGISLATURE

As outlined in the November 18, 2008 quote of the party of the second part, the House and Senate bills, resolutions, memorials and amendments will be printed and charged at a price per page not to exceed eight dollars and fifty cents (\$8.50) based on incremental numbers of copies ordered. The number of copies to be supplied under this contract shall be specified at the time of order, and may be adjusted as required by the party of the first part.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as included in the bid specifications, in compliance with the statutes of the state of Idaho where not otherwise provided, such statutes shall be controlling. Upon failure to deliver such bills, resolutions, memorials and amendments in the manner and within the time herein specified, this contract may be deemed terminated forthwith at the option of the party of the first part and recourse had against the bond of the party of the second part.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

By /s/ Lawrence Denney
LAWRENCE DENNEY, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE

By /s/ Jim Clark
JIM CLARK, Chairman

By /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

BUREAU OF COPY AND RECORDS SERVICES

By /s/ Bobbi Eckerle
BOBBI ECKERLE, Supervisor

**HOUSE CONCURRENT RESOLUTION NO. 5
BY JUDICIARY, RULES AND ADMINISTRATION
COMMITTEE**

A CONCURRENT RESOLUTION

PROVIDING FOR PRINTING THE HOUSE AND SENATE DAILY JOURNALS AND FIXING THE PRICE FOR PRINTING THE SAME.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Section 67-509, Idaho Code, has made provisions for the printing of the House and Senate Daily Journals;

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, in accordance with a written contract duly made and entered into by the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the House Judiciary, Rules, and Administration Committee, and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract for the printing of the House and Senate Daily Journals in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee, as party of the first part, and the BUREAU OF COPY AND RECORDS SERVICES, Boise, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

PRINTING AGREEMENT

THIS AGREEMENT, made and entered into the 15th day of January, 2009, by and between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee of the First Regular Session of the Sixtieth Idaho Legislature, hereinafter referred to as party of the first part, and the BUREAU OF COPY AND RECORDS SERVICES, Boise, Idaho, hereinafter referred to as party of the second part:

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to the said BUREAU OF COPY AND RECORDS SERVICES as follows:

HOUSE AND SENATE DAILY JOURNALS FIRST AND SECOND REGULAR SESSIONS AND ANY EXTRAORDINARY SESSIONS SIXTIETH LEGISLATURE

As outlined in the November 18, 2008 quote of the party of the second part, the House and Senate Daily Journals will be printed and charged at a price per page not to exceed four dollars and fifty cents (\$4.50) based on incremental numbers of copies ordered. The number of copies to be supplied under this contract shall be specified at the time of order, and may be adjusted as required by the party of the first part.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as included in the bid specifications, in compliance with the statutes of the state of Idaho where not otherwise provided, such statutes shall be controlling. Upon failure to deliver such House and Senate Daily Journals in the manner and within the time herein specified, this contract may be deemed terminated forthwith at the option of the party of the first part and recourse had against the bond of the party of the second part.

IT IS FURTHER AGREED that said House and Senate Daily Journals shall be printed, delivered and be ready for distribution in conformity with the provisions of Section 67-509, Idaho Code, which section is hereby referred to and by such reference made a part of this contract as though set forth herein at length.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Lawrence Denney
LAWRENCE DENNEY, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

By /s/ Jim Clark
JIM CLARK, Chairman

By /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

Party of the Second Part

BUREAU OF COPY AND RECORDS SERVICES

By /s/ Bobbi Eckerle
BOBBI ECKERLE

HCR 2, HCR 3, HCR 4, and HCR 5 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Regular Session of the Sixtieth Idaho Legislature. Seconded by Mr. Rusche.

Chief Clerk of the House	Bonnie Alexander
Sergeant at Arms	Judith K. Christensen
Chaplain	Tom Dougherty
Minority Leadership Secretary	Cathy Downs
Chief Fiscal Officer	Terri Franks-Smith
Assistant to Majority Leadership	Sue Frieders
Assistant to the Speaker	Sue Frieders
Minority Leadership Secretary	Perri Gardner
Assistant to Minority Leadership	Marisa Nelson
Assistant Sergeant at Arms	Al Noyes
Assistant Chief Clerk	Patti Rector
Docket Clerk	Carol Ryan
Secretary	Shirley Scott
Journal Clerk	Leslie Sheedy
Journal Clerk	Chris Taylor

Committee Secretaries:

Judiciary, Rules & Administration	Betty A. Baker
Commerce & Human Resources	Doreen Bowden
Local Government	Doreen Bowden
Health & Welfare	Jennifer Coggins
Agricultural Affairs	Lisa Daniels
Ways & Means	Sue Frieders
Environment, Energy & Technology	Peggy Heady
Revenue & Taxation	Joann Hopkins
Education	Claudia Howell
Business	MaryLou Molitor
Resources & Conservation	Molly Smith
State Affairs	Marsha Walker

Transportation & Defense Cindy Williams
Appropriations Kathryn Yost

Information Center:

Information Clerk Jerry Csutoras
Telephone Operator Arlene Eidemiller
Telephone Operator Donna Nelson
Director Kathleen Sullivan
Telephone Operator Katy Tollefson

Pages:

Todd Beck	Mark Bruzas
Madeleine Fehlman	Breanna Fuechsel
Lee Gray	Shirin Johnson
Bryson Lind	Travyn Mapes
Erica Olsen	Danielle Schmidt

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 14, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:53 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 14, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused – Bayer, Chew, McGeachin. Total – 3.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Lee Gray, Page.

Approval of Journal

January 14, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

January 12, 2009

The Honorable Lawrence Denney
Speaker of the House

As required by Section 57-1601, *Idaho Code*, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2008 and 2009.

Balance as of July 1, 2007 **\$83,744.48**
No activity in fiscal year 2008

Balance as of June 30, 2008 **\$83,744.48**
No activity year-to-date in
fiscal year 2009

Balance as of December 31, 2008 **\$83,744.48**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Chief Clerk.

Report of Standing Committees

January 14, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 2**, **HCR 3**, **HCR 4**, and **HCR 5**.

CLARK, Chairman

HCR 2, **HCR 3**, **HCR 4**, and **HCR 5** were referred to the Judiciary, Rules, and Administration Committee.

January 14, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled **HCR 1**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 1** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HR 1, by Moyle and Rusche, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Thursday, January 15, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:09 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 15, 2009**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Marriott. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bryson Lind, Page.

Approval of Journal

January 15, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 14, 2009

Mr. Speaker:

I return herewith enrolled **HCR 1** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 1** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

HR 1 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **HR 1** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 69.

NAYS – None.

Absent and excused – Marriott. Total – 1.

Total – 70.

Whereupon the Speaker declared **HR 1** adopted and ordered the resolution filed in the office of the Chief Clerk.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8:30 a.m., Friday, January 16, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:40 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 16, 2009**

House of Representatives

The House convened at 8:30 a.m., Mr. Moyle in the Chair.

Roll call showed 54 members present.

Absent and excused – Anderson, Andrus, Boyle, Clark, Hart, Labrador, Lake, Loertscher, Ruchti, Rusche, Schaefer, Smith(24), Thayn, Trail, Wood(35), Mr. Speaker. Total – 16.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Todd Beck, Page.

Approval of Journal

January 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 1** to the Secretary of State at 11:51 a.m., as of this date, January 15, 2009.

CLARK, Chairman

January 15, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **HCR 2**, **HCR 3**, **HCR 4**, and **HCR 5** and recommend that they do pass.

CLARK, Chairman

HCR 2, **HCR 3**, **HCR 4**, and **HCR 5** were filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 11 a.m., Monday, January 19, 2009. Seconded by Mr. Killen. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 8:37 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 19, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Clark, Marriott, Shirley. Total – 3.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Breanna Fuechsel,
Page.

Approval of Journal

January 19, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved the
House Journal of the Fifth Legislative Day and recommend that
same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by
Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Tenth
Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 2, HCR 3, HCR 4, and HCR 5, by Judiciary, Rules,
and Administration Committee, were read the second time by title
and filed for third reading.

There being no objection, the House advanced to the
Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m.,
Tuesday, January 20, 2009. Seconded by Mr. Rusche. Motion
carried.

Whereupon the Speaker declared the House adjourned at
11:09 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 20, 2009

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Chavez, Clark. Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Shirin Johnson, Page.

Approval of Journal

January 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 1 BY BUSINESS COMMITTEE AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1213, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN FEES; AND AMENDING SECTION 54-1214, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN FEES.

HOUSE BILL NO. 2 BY ESKRIDGE AND ANDERSON AN ACT

RELATING TO PROPERTY TAX; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602MM, IDAHO CODE, TO EXEMPT FROM THE PROPERTY TAX ANY INCREASE IN EXCESS OF THREE PERCENT PER YEAR IN THE NET TAXABLE VALUE OF REAL PROPERTY OR OPERATING PROPERTY OF A TAXPAYER, TO PROVIDE TAX YEAR 2007 AS THE BASE YEAR, TO PROVIDE THE EFFECT OF A CHANGE OF TAX STATUS OR TAX EXEMPTION,

TO PROVIDE DEFINITIONS, TO PROVIDE PROCEDURES FOR PERSONS ACTING IN CONCERT, TO PROVIDE THAT THE PROPERTY INCLUDED IN THE CALCULATION OF THE EXEMPTION SHALL INCLUDE EACH PARCEL OF REAL PROPERTY OWNED BY THE TAXPAYER, TO PROVIDE WHEN A SALE OR TRANSFER SHALL NOT BE DEEMED TO HAVE OCCURRED, TO PROVIDE CIRCUMSTANCES WHEN PROPERTY ACQUIRES A NEW TAXABLE VALUE, TO PROVIDE THAT THE EXEMPTION DOES NOT APPLY TO FOREST LANDS, TO PROVIDE THAT THE LEGISLATURE DECLARES THE EXEMPTION NECESSARY AND JUST AND TO PROVIDE FOR RULES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 3 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO CORPORATION INCOME TAXES; AMENDING SECTION 63-3027B, IDAHO CODE, TO REVISE STANDARDS FOR MAKING THE WATER'S-EDGE ELECTION ON BEHALF OF MEMBERS OF THE WATER'S-EDGE COMBINED GROUP; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 4 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO PROPERTY TAX EXEMPTION FOR HOMESTEADS; AMENDING SECTION 63-602G, IDAHO CODE, TO REQUIRE THAT THE STATE TAX COMMISSION SHALL PUBLISH ADJUSTMENTS TO THE MAXIMUM AMOUNT SUBJECT TO PROPERTY TAX EXEMPTION TO REFLECT ANNUAL CHANGES IN THE COST-OF-LIVING FLUCTUATIONS BY A PERCENTAGE EQUAL AS NEAR AS PRACTICABLE TO THE ANNUAL CHANGE IN THE IDAHO HOUSING PRICE INDEX AND TO MAKE A TECHNICAL CORRECTION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 5 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3022, IDAHO CODE, TO PROVIDE THAT PASSIVE LOSSES INCURRED IN YEARS DURING WHICH A TAXPAYER HAD NO ACTIVITY IN IDAHO IS NOT DEDUCTIBLE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 1, H 2, H 3, H 4, and H 5 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that all bills on the Third Reading Calendar retain their places until Monday, January 26, 2009. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 21, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:39 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 21, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Clark, Eskridge. Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Breanna Fuechsel,
Page.

Approval of Journal

January 21, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 21, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 1**, **H 2**, **H 3**, **H 4**, and **H 5**.

CLARK, Chairman

H 1 was referred to the Business Committee.

H 2 was referred to the Ways and Means Committee.

H 3 and **H 5** were referred to the Revenue and Taxation Committee.

H 4 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

**HOUSE CONCURRENT RESOLUTION NO. 6
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION**

REJECTING THE RATES OF COMPENSATION AND EXPENSES FOR MEMBERS OF THE LEGISLATURE FIXED BY THE CITIZENS' COMMITTEE ON LEGISLATIVE COMPENSATION FOR THE TWO YEAR PERIOD COMMENCING DECEMBER 1, 2008, AND PROVIDING THAT THE RATES OF COMPENSATION AND EXPENSES IN EFFECT DURING THE FIFTY-NINTH IDAHO LEGISLATURE ARE CONTINUED IN FULL FORCE AND EFFECT AND PROVIDED THAT COMPENSATION AND EXPENSES THAT WERE IN EFFECT FROM DECEMBER 1, 2008, UNTIL THE EFFECTIVE DATE OF THIS RESOLUTION SHALL HAVE BEEN IN EFFECT FOR THAT PERIOD AND ANY AMOUNTS PAID SHALL HAVE BEEN PAID LAWFULLY AND NEED NOT BE RECOVERED OR REPAID BY MEMBERS OF THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with the authority to reject or reduce rates of compensation and expenses established for service as members of the Legislature by the Citizens' Committee on Legislative Compensation pursuant to the provisions of Article III, Section 23, of the Constitution of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the rates of compensation and expenses for services to be rendered by members of the Legislature during the two year period commencing December 1, 2008, that were fixed by the Citizens' Committee on Legislative Compensation on June 20, 2008, be, and the same are hereby rejected, and the rate of compensation and expenses in effect during the Fifty-ninth Idaho Legislature are continued in full force and effect with the exception of the compensation and expenses that were in effect from December 1, 2008, until the effective date of this resolution shall have been in effect for that period and any amounts paid shall have been paid lawfully and need not be recovered from or repaid by members of the Legislature.

HCR 6 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 6 BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE AN ACT

RELATING TO THE BUNKER HILL CLEANUP SITE; AMENDING SECTION 39-107A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN REAL PROPERTY OR INTERESTS IN SUCH PROPERTY ASSOCIATED WITH THE BUNKER HILL CLEANUP SITE.

HOUSE BILL NO. 7 BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE AN ACT

RELATING TO PROCESSING OF PERMITS, APPLICATIONS, SITING REPORTS AND STUDIES FOR ELECTRIC TRANSMISSION FACILITIES; AMENDING CHAPTER 5, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-516, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO

PROVIDE THAT THE PUBLIC UTILITIES COMMISSION SHALL DETERMINE WHETHER AN APPLICATION TO CONSTRUCT ELECTRIC TRANSMISSION FACILITIES SHOULD BE DESIGNATED AS A PRIORITY PROJECT, TO REQUIRE STATE AGENCIES TO TIMELY COMPLETE THEIR REVIEW OF APPLICATIONS TO CONSTRUCT ELECTRIC TRANSMISSION FACILITIES, TO PROVIDE FACTORS FOR THE COMMISSION UPON WHICH TO BASE ITS FINDINGS AND TO PROVIDE FOR PROCEDURES AND RULES.

HOUSE BILL NO. 8

BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO MOTOR FUELS TAXES; AMENDING SECTION 63-2425, IDAHO CODE, TO PROVIDE A CIVIL PENALTY FOR PROHIBITED USE OF DYED FUEL OR OTHER UNTAXED FUEL ON A HIGHWAY; AND AMENDING SECTION 63-2434, IDAHO CODE, TO PROVIDE THAT CERTAIN AUTHORIZED OFFICIALS AND LAW ENFORCEMENT OFFICERS MAY INSPECT OR TAKE FUEL SAMPLES FROM TANKS AND EQUIPMENT USED IN CONNECTION WITH DYED DIESEL FUEL, AND TO PROVIDE A CIVIL PENALTY.

HOUSE BILL NO. 9

BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO MOTOR FUELS TAX AND TRANSFER FEE ON BIODIESEL; AMENDING SECTION 41-4903, IDAHO CODE, TO REVISE THE DEFINITION OF LICENSED DISTRIBUTOR; AMENDING SECTION 63-2421, IDAHO CODE, TO CLARIFY THAT A PERSON ACTING AS A DISTRIBUTOR WHO ONLY PRODUCES FIVE THOUSAND GALLONS OR LESS OF BIODIESEL IN A CALENDAR YEAR IS SUBJECT TO THE MOTOR FUEL USE TAX ON CONSUMERS; AND AMENDING SECTION 63-2427A, IDAHO CODE, TO EXCLUDE FROM THE REQUIREMENT TO OBTAIN A MOTOR FUEL DISTRIBUTOR'S LICENSE A PERSON ACTING AS A DISTRIBUTOR WHO ONLY PRODUCES FIVE THOUSAND GALLONS OR LESS OF BIODIESEL IN A CALENDAR YEAR.

HOUSE BILL NO. 10

BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO SALES AND USE TAX ON AIRPLANES; AMENDING SECTION 63-3621, IDAHO CODE, TO EXEMPT FROM SALES AND USE TAX CERTAIN PERSONALLY OWNED AIRCRAFT ACQUIRED OUT OF STATE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 63-3622GG, IDAHO CODE, TO LIMIT THE SALES AND USE TAX EXEMPTION FOR AIRCRAFT USED TO PROVIDE PASSENGER OR FREIGHT SERVICES FOR HIRE SUBJECT TO SPECIFIED QUALIFICATIONS.

HOUSE BILL NO. 11

BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO FILING TAX RETURNS ELECTRONICALLY; AMENDING SECTION 63-2406, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION MAY BY RULE REQUIRE ANY MOTOR FUELS DISTRIBUTOR REPORTING AT LEAST TWENTY-FIVE RECEIPTS OR DISBURSEMENTS OF

MOTOR FUEL DURING THE PERIOD TO WHICH THE RETURN RELATES, TO TRANSMIT RETURNS ELECTRONICALLY AND TO PROVIDE REQUIREMENTS OF THE RULES; AND AMENDING SECTION 63-3037, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION MAY BY RULE REQUIRE THAT INCOME TAXPAYERS WHO FILE AT LEAST TWO HUNDRED FIFTY INFORMATION RETURNS, TO TRANSMIT RETURNS ELECTRONICALLY AND TO PROVIDE REQUIREMENTS OF THE RULES.

HOUSE BILL NO. 12

BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO TAXES ON BEER AND WINE; AMENDING SECTION 23-1047, IDAHO CODE, TO STRIKE OBSOLETE LANGUAGE AND TO ALLOW THE STATE TAX COMMISSION TO PROMULGATE RULES AUTHORIZING PAYMENT OF BEER TAXES BY RETURN FOR A PERIOD OTHER THAN MONTHLY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 23-1322, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO ALLOW THE STATE TAX COMMISSION TO PROMULGATE RULES AUTHORIZING PAYMENT OF WINE TAXES BY RETURN FOR PERIODS OTHER THAN MONTHLY.

H 6, H 7, H 8, H 9, H 10, H 11, and H 12 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 22, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:16 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 22, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused – Anderson, Clark, Eskridge, Trail.

Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Danielle Schmidt, Page.

Approval of Journal

January 22, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Tenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 22, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 6**, **H 6**, **H 7**, **H 8**, **H 9**, **H 10**, **H 11**, and **H 12**.

CLARK, Chairman

HCR 6 was filed for second reading.

H 6 and **H 7** were referred to the Environment, Energy, and Technology Committee.

H 8 and **H 9** were referred to the Transportation and Defense Committee.

H 10, **H 11**, and **H 12** were referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HCR 6** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 6** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Clark, Eskridge, Trail. Total – 4.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 6** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **HCR 6** be adopted?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Clark, Eskridge, Trail. Total – 4.

Total – 70.

Whereupon the Speaker declared **HCR 6** adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the following letter be spread across the pages of the Journal:

STATE OF IDAHO
SUPREME COURT

January 20, 2009

Mr. Speaker and distinguished members of the Idaho House of Representatives:

It is an honor to report to you on the state of the Idaho judiciary. I wish that I could be speaking to you in person this year, but I recently completed my last chemotherapy treatment followed by an infusion of stem cells to regrow bone marrow that was destroyed by the chemotherapy. Because of my compromised immune system, at this point in my recovery I would have had to speak while wearing a HEPA filter mask, which is not very conducive to public speaking.

Last year I reported that a task force, which was chaired by Dean Burnett from the University of Idaho College of Law and which included the Hon. Denton Darrington and the Hon. Jim Clark, had recommended adding one more judge to the Idaho Court of Appeals to help with its increasing caseload. I thank you for enacting legislation and providing appropriations to do so. The Governor has appointed David Gratton to fill that position. The space on the ground floor of the Supreme Court building that formerly housed the state law library has also been remodeled to provide chambers for the Court of Appeals.

In addition to their regular caseloads, Idaho judges continue to devote countless hours presiding over problem-solving courts, including adult felony and juvenile drug courts, DUI courts, and adult and juvenile mental health courts. Their efforts are producing positive results. Idaho has 54 problem-solving courts that supervised 1,983 offenders in 2008, an increase of 9% from the prior year. A recent statewide evaluation of adult drug courts showed significant reductions in recidivism for participating offenders compared to a matched comparison group who received traditional management of probation. A study of four well-established DUI courts also showed a significant reduction in recidivism.

Idaho now has four Child Protection Drug Courts, which handle child abuse and neglect cases in which the abuse or neglect is related to the parents substance abuse. Parental substance abuse is the main underlying cause of proceedings by the Department of Health and Welfare to terminate parental rights in Idaho. A national study of similar courts elsewhere has shown that when parents participated in such a court, their children spent less time in out-of-home placement and, when returned to parental custody, were less likely to be abused and removed again. We can expect similar results in Idaho. Two of Idaho's Child Protection Drug Courts are part of a national initiative by the Administration for Children and Families and will be extensively evaluated through Idaho State University over the next four years.

Proceedings to terminate parental rights are handled in magistrate court. It can take two to three years to go through the normal process of appealing the magistrate's decision to the district court and then to the Supreme Court. During that period, the status of the child is in limbo. We have a task force that will shortly be suggesting procedural changes so that a case involving the termination of parental rights will be heard by the Supreme Court within about four months after the magistrate judge's decision.

We now have seven domestic violence courts in Idaho, in which defendants are forced into treatment and held accountable through enhanced judicial monitoring, including

regular face-to-face meetings with the judge. These courts also have a case coordinator who maintains regular contact with the victims, assisting them and their children in accessing needed services. An assessment of domestic violence courts in eastern Idaho has shown that a domestic violence court can significantly reduce violations of no contact orders and civil protection orders by offenders in that court. Legislation will be introduced this session to strengthen domestic violence courts statewide.

The coordinator of the Ada County domestic violence court worked with probation to create a risk assessment tool for regularly assessing the risks that offenders may pose to victims and their children. That information is then used to adjust probation recommendations to ensure offender accountability, to promote victim safety, and to refer victims to necessary available resources. We know of no other court that utilizes this type of ongoing risk assessment.

Because of the emotions involved, some of the more challenging court cases are domestic relations actions involving minor children. Judges throughout the state participate in parent education classes during which they introduce families to the court process and explain the variety of tools available to assist them in resolving child custody issues. In a statewide exit survey, parents who attended such classes gave the judges high marks, stating that the information was helpful and that it was reassuring to know they were being served as individuals. Over ninety percent of those parents said they would make a stronger effort to reduce parental conflict for the sake of their children's long-term best interests.

We are seeing increasing numbers of litigants in domestic relations cases who are not represented by attorneys. In Canyon, Ada, and Valley counties, parents who cannot afford attorneys are given the opportunity to work with professional mediators to arrive at an agreement on a workable parenting plan that is in the children's best interests. A recent evaluation of such cases in Ada County showed that parents utilizing such mediators have longer term resolutions and return to court less often than parents in litigated cases.

In 1999, we began opening court assistance offices where litigants who did not have attorneys could obtain forms for various civil actions and legal advice in filling out the forms if the office was staffed by an attorney. There are now court assistance offices in most Idaho counties, and last year over 38,000 people took advantage of that help.

In partnership with Idaho Legal Aid Services, in 2005 we began making forms for various civil cases available on the internet, which are maintained on a server provided by a third party at no charge. We have increased the number of forms available, and some of the more complex types of cases, such as domestic relations cases involving minor children, have forms created through an online interactive interview to make it easier for the pro se litigants. Five of the interactive interviews are also in Spanish. These online forms have been used by litigants in all forty-four Idaho counties. Of all states, Idaho has the third highest number of forms available online for pro se litigants. Of course, online forms cannot replace an attorney, but they provide an essential resource for the many citizens who cannot afford counsel to represent them.

We have also taken action to decrease the time it takes to appeal cases. Although the overwhelming majority of court reporters prepare transcripts of testimony timely, there were a few who were habitually late in doing so. As a result, some appeals were delayed a year or more while waiting for the transcript to

be prepared. We have instituted time limits for the preparation of transcripts and consequences, including suspension without pay, for failing to meet those deadlines.

Last year we began providing online access to a data repository through which anyone can check the register of actions of cases in the trial courts of every county in the state. The register of actions is a case history containing a chronological list of all documents filed in the case and all hearings and trials. There are about 60,000 hits per day on the repository. When testing it, I discovered that in 1997 a criminal defendant had filed an action seeking to have me removed from office. Fortunately, the case was dismissed.

It does not appear that the recent economic downturn will result in a decrease in cases filed in our courts. When the last seven months of this year are compared to the last seven months of last year, there has been about a three to four percent increase in cases filed in the district courts and magistrate courts. Some types of cases have increased dramatically, with civil filings in the district courts increasing almost eighteen percent and felony DUIs increasing thirty four percent.

We have been able to provide adequate judicial resources only by the use of senior judges. Paying retired judges at a daily rate to preside over cases costs taxpayers less than increasing the number of judges in those parts of the state where the population has increased significantly faster than judicial positions.

The recent economic downturn will certainly present challenges for the judiciary. For years we have endeavored to keep the judicial budget for operating expenses and administrative personnel at the lowest level possible to provide the resources and services necessary for the judiciary to provide equal access to justice, the expeditious resolution of cases, and the training and support necessary for judges to utilize innovative techniques to address some of the most difficult problems in our society. We look forward to working with the legislature to find ways to insure that the citizens of Idaho can continue to have trust and confidence in their judiciary.

Respectfully submitted,

/s/ Daniel T. Eismann
Chief Justice of the
Idaho Supreme Court

The letter was ordered filed in the office of the Chief Clerk.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 13
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE DEPARTMENT OF ADMINISTRATION; REPEALING SECTION 59-1205, IDAHO CODE, RELATING TO THE POSITION OF PERSONNEL GROUP INSURANCE ADMINISTRATOR; AND REPEALING SECTION 59-1212, IDAHO CODE, RELATING TO EXISTING GROUP POLICIES AND CONTRACTS.

**HOUSE BILL NO. 14
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE DEPARTMENT OF ADMINISTRATION AND GROUP INSURANCE; AMENDING SECTION 67-5767, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SERVICES PROVIDED AND TO REVISE DEFINITIONS.

**HOUSE BILL NO. 15
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE DEPARTMENT OF ADMINISTRATION AND THE DIVISION OF PUBLIC WORKS; REPEALING SECTION 67-3206, IDAHO CODE, RELATING TO THE INVENTORY OF REAL PROPERTY OWNED OR LEASED BY THE STATE IN BOISE.

**HOUSE BILL NO. 16
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO CONTROLLED HUNTS; AMENDING SECTION 36-408, IDAHO CODE, TO PROVIDE A LIMITATION ON THE NUMBER OF TAGS AND PERMITS TO BE ISSUED TO NONRESIDENTS IN CERTAIN CONTROLLED HUNTS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 17
BY DURST
AN ACT**

RELATING TO LOCAL OPTION TAXATION; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE AUTHORITY FOR A TAXING DISTRICT TAX, TO PROVIDE FOR A TAXING DISTRICT TAX RECEIPTS FUND, TO PROVIDE GENERAL PROVISIONS FOR THE TAX, TO PROVIDE FOR COLLECTION AND ADMINISTRATION OF LOCAL OPTION TAXES BY THE STATE TAX COMMISSION, TO PROVIDE FOR DISTRIBUTION OF MONEYS AND TO PROVIDE FOR CHANGE OF A TAXING DISTRICT'S BOUNDARY.

**HOUSE BILL NO. 18
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE STATE BOARD OF EDUCATION AND EMPLOYEE SICK LEAVE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2109B, IDAHO CODE, TO PROVIDE THAT ANY EMPLOYEE OF BOISE STATE UNIVERSITY WITH ACCRUED SICK LEAVE AND WHO IS TRANSFERRED OR OTHERWISE BECOMES AN ELIGIBLE EMPLOYEE OF THE COLLEGE OF WESTERN IDAHO SHALL BE CREDITED WITH SUCH SICK LEAVE; AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5333A, IDAHO CODE, TO PROVIDE THAT ANY EMPLOYEE OF BOISE STATE UNIVERSITY WITH ACCRUED SICK LEAVE AND WHO IS TRANSFERRED OR OTHERWISE BECOMES AN ELIGIBLE EMPLOYEE OF THE COLLEGE OF WESTERN IDAHO SHALL BE CREDITED WITH SUCH SICK LEAVE; DECLARING AN EMERGENCY AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 19
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO THE STATE BOARD OF EDUCATION;
AMENDING SECTION 33-107, IDAHO CODE, TO
PROVIDE FOR AUTHORITY OF THE STATE BOARD OF
EDUCATION TO TRANSFER OR CONVEY TITLE, RIGHTS
AND INTERESTS IN CERTAIN REAL AND PERSONAL
PROPERTY.

H 13, H 14, H 15, H 16, H 17, H 18, and H 19 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 4, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8:30 a.m., Friday, January 23, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:20 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 23, 2009

House of Representatives

The House convened at 8:30 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent and excused – Hart, Lake, Schaefer, Smith(24),
Stevenson, Takasugi, Trail. Total – 7.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Erica Olsen, Page.

Approval of Journal

January 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved the
House Journal of the Eleventh Legislative Day and recommend
that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by
Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth
Order of Business.

Report of Standing Committees

January 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have printed **H 13**, **H 14**,
H 15, **H 16**, **H 17**, **H 18**, and **H 19**.

CLARK, Chairman

H 13, **H 14**, and **H 15** were referred to the State Affairs
Committee.

H 16 was referred to the Resources and Conservation
Committee.

H 17 was referred to the Ways and Means Committee.

H 18 and **H 19** were referred to the Education Committee.

There being no objection, the House advanced to the Seventh
Order of Business.

Motions, Memorials, and Resolutions

HOUSE PROCLAMATION NO. 1
BY STATE AFFAIRS COMMITTEE

A PROCLAMATION

COMMENDING JAMES WILLIAMS FOR HIS
ACCOMPLISHMENT AT THE AMERICAN FARM BUREAU
FEDERATION'S YOUNG FARMER AND RANCHER
DISCUSSION MEET COMPETITION.

We, the members of the House of Representatives and the
Senate of the State of Idaho assembled in the First Regular
Session of the Sixtieth Idaho Legislature, do hereby proclaim:

WHEREAS, James Williams, a farmer and educator from
Ucon, won the Idaho Farm Bureau Discussion Meet in December
2008, qualifying him for the American Farm Bureau Federation's
Young Farmer and Rancher Discussion Meet competition in San
Antonio, Texas; and

WHEREAS, James Williams attended the American Farm
Bureau Federation's Young Farmer and Rancher competition
in San Antonio, Texas, where he competed among young
farmers from around the United States by demonstrating
superior knowledge of and achievement in agriculture, as well
as commitment to promoting the agriculture industry; and

WHEREAS, James Williams participated in the national
Young Farmer and Rancher Discussion Meet that simulates a
committee meeting in which active discussion and participation
are expected and participants are evaluated on their ability to
exchange ideas and information on predetermined topics; and

WHEREAS, James Williams won the Young Farmer and
Rancher Discussion Meet by finishing in first place among a field
of his peers from every Farm Bureau in the United States; and

WHEREAS, James Williams is a positive role model for all
young farmers.

NOW, THEREFORE, BE IT PROCLAIMED by the
members of the House of Representatives and the Senate
assembled in the First Regular Session of the Sixtieth Idaho
Legislature, that we recognize and congratulate James Williams
for his superior and award winning performances in the Idaho
Farm Bureau Discussion Meet, as well as in the Young Farmer
and Rancher Discussion Meet at the American Farm Bureau
Federation's national competition and for the pride he brings to
the young farmers and ranchers of Idaho and the United States.

HP 1 was introduced, read the first time by title, and
referred to the Judiciary, Rules, and Administration Committee
for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 20 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE ENDOWMENT FUND
INVESTMENT BOARD; AMENDING SECTION 57-719,
IDAHO CODE, TO REVISE A PROVISION RELATED TO
THE COMPENSATION OF BOARD MEMBERS.

HOUSE BILL NO. 21 BY TRAIL AN ACT

RELATING TO SALES AND USE TAX EXEMPTIONS;
REPEALING SECTIONS 63-3622B, 63-3622C, 63-3622D,
63-3622E, 63-3622F, 63-3622G, 63-3622I, 63-3622J, 63-3622K,
63-3622L, 63-3622M, 63-3622N, 63-3622O, 63-3622P,
63-3622Q, 63-3622R, 63-3622S, 63-3622T, 63-3622U,
63-3622V, 63-3622W, 63-3622X, 63-3622Y, 63-3622Z,
63-3622AA, 63-3622BB, 63-3622CC, 63-3622DD, 63-3622EE,
63-3622FF, 63-3622GG, 63-3622HH, 63-3622II, 63-3622JJ,
63-3622KK, 63-3622LL, 63-3622MM, 63-3622NN, 63-3622PP,
63-3622RR, 63-3622SS, 63-3622TT AND 63-3622UU,

IDAHO CODE, RELATING TO SALES AND USE TAX EXEMPTIONS ON OUT-OF-STATE CONTRACTS, MOTOR FUELS SUBJECT TO TAX, PRODUCTION EXEMPTION, CONTAINERS, UTILITIES, HEATING MATERIALS, LITERATURE, SCHOOL, CHURCH AND SENIOR CITIZEN MEALS, OCCASIONAL SALES, DE MINIMIS SALES, LIQUOR SALES, PRESCRIPTIONS, EXEMPT PRIVATE AND PUBLIC ORGANIZATIONS, PURCHASES SHIPPED OUT-OF-STATE BY A COMMON CARRIER, OUT-OF-STATE SHIPMENTS, MOTOR VEHICLES, USED MANUFACTURED HOMES, VESSELS, ALL-TERRAIN VEHICLES, TRAILERS, OFF-ROAD MOTORCYCLES, SNOWMOBILES AND GLIDER KITS, RADIO AND TELEVISION BROADCASTING EQUIPMENT, EQUIPMENT TO PRODUCE CERTAIN NEWSPAPERS, FUNERAL SERVICES, BULLION, IRRIGATION EQUIPMENT AND SUPPLIES, POLLUTION CONTROL EQUIPMENT, TAXATION OF AERIAL PASSENGER TRAMWAYS AND SNOWGROOMING AND SNOWMAKING EQUIPMENT, SALES BY INDIAN TRIBES, EXEMPTION FOR OFFICIAL DOCUMENTS, RESEARCH AND DEVELOPMENT AT THE INEEL, RAILROAD ROLLING STOCK, PARTS FOR RAILROAD ROLLING STOCK, PURCHASES FOR THE FEDERAL SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC), PURCHASES MADE WITH FEDERAL FOOD STAMPS, AIRCRAFT, PRODUCTION EXEMPTION SHALL NOT APPLY TO SALES REGARDING RECREATION-RELATED VEHICLES, MONEY-OPERATED DISPENSING EQUIPMENT, LOGGING EXEMPTION, INCIDENTAL SALES BY RELIGIOUS CORPORATIONS OR SOCIETIES, MEDIA MEASUREMENT SERVICES EXEMPTION, LIVESTOCK SOLD AT LIVESTOCK MARKETS, CLEAN ROOMS, IDAHO COMMEMORATIVE SILVER MEDALLIONS, EQUIPMENT USED IN ALTERNATIVE METHOD OF GENERATION OF ELECTRICITY, RESEARCH AND DEVELOPMENT, HUNTING OR SHOOTING SPORTS, MEDIA PRODUCTION PROJECT TAX REBATE AND PERSONAL PROPERTY TAX ON RENTALS; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 22
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO STATE VETERANS HOMES; AMENDING SECTION 56-1004, IDAHO CODE, TO REMOVE ADMINISTRATORS IN CHARGE OF STATE VETERANS HOMES FROM DEPARTMENT OF HEALTH AND WELFARE DIRECTOR POWERS AND DUTIES.

HOUSE BILL NO. 23
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO STATE RACING COMMISSION; AMENDING SECTION 54-2502, IDAHO CODE, TO DEFINE A TERM; AMENDING CHAPTER 25, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2505A, IDAHO CODE, TO PROVIDE FOR COMMISSION FUNDS; AMENDING SECTION 54-2508, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SIMULCAST PURSE MONEYS FUND; AMENDING SECTION 54-2509, IDAHO CODE, TO PROVIDE THAT CERTAIN MONETARY PENALTIES SHALL BE DEPOSITED INTO THE RACING COMMISSION FUND, TO PROVIDE FOR THE EXCLUSION OF CERTAIN PERSONS FROM ANY RACING ASSOCIATION OR SIMULCAST

OPERATOR'S GROUNDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2512, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE PROVISIONS RELATING TO ADVANCE DEPOSIT WAGERING; AMENDING SECTION 54-2513, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO DELETE REFERENCE TO THE CREATION OF CERTAIN ACCOUNTS, TO DELETE REFERENCE TO THE CONTINUOUS APPROPRIATION OF CERTAIN MONEYS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-2514, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO DELETE REFERENCE TO THE STATE TREASURY.

HOUSE BILL NO. 24
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-403B, IDAHO CODE, TO PROVIDE FOR GOLD STAR LICENSE PLATES; AND AMENDING SECTION 65-209, IDAHO CODE, TO PROVIDE FOR CREDITING CERTAIN MONEYS TO THE VETERANS SUPPORT FUND, TO REVISE THE USE OF FUND MONEYS AND TO REVISE TERMINOLOGY.

H 20, H 21, H 22, H 23, and H 24 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 4** retain its place on the Third Reading Calendar until Monday, January 26, 2009. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, January 26, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:40 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:
BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 26, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Anderson, Nielsen, Thompson.

Total – 3.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Madeleine Fehlman, Page.

Approval of Journal

January 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twelfth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HP 1**, **H 20**, **H 21**, **H 22**, **H 23**, and **H 24**.

CLARK, Chairman

HP 1 was filed for second reading.

H 20 and **H 23** were referred to the State Affairs Committee.

H 21 was referred to the Ways and Means Committee.

H 22 and **H 24** were referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 25

BY THAYN

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1620, IDAHO CODE, TO PROVIDE FOR PREKINDERGARTEN COUNSELING, TO PROVIDE FOR KINDERGARTEN MASTERY, TO STATE LEGISLATIVE INTENT AND TO PROVIDE FOR STATE BOARD AUTHORITY.

H 25 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

HCR 2 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **HCR 2** be adopted?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Nielsen, Thompson, Wood(27). Total – 4.

Total – 70.

Whereupon the Speaker declared **HCR 2** adopted and ordered the resolution transmitted to the Senate.

HCR 3 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **HCR 3** be adopted?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Nielsen, Thompson, Wills, Wood(27). Total – 5.

Total – 70.

Whereupon the Speaker declared **HCR 3** adopted and ordered the resolution transmitted to the Senate.

HCR 4 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **HCR 4** be adopted?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Nielsen, Thompson, Wills, Wood(27). Total – 5.

Total – 70.

Whereupon the Speaker declared **HCR 4** adopted and ordered the resolution transmitted to the Senate.

HCR 5 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **HCR 5** be adopted?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Nielsen, Thompson, Wills, Wood(27). Total – 5.

Total – 70.

Whereupon the Speaker declared **HCR 5** adopted and ordered the resolution transmitted to the Senate.

H 4 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 4** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis,

Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Nielsen, Thompson, Wills, Wood(27). Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 4** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, January 27, 2009. Seconded by Mr. Bedke. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:23 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 27, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Lee Gray, Page.

Approval of Journal

January 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 26, 2009

Mr. Speaker:

I transmit herewith **SCR 101** which has passed the Senate.
WOOD, Secretary

SCR 101 was filed for first reading.

Report of Standing Committees

January 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 25**.

CLARK, Chairman

H 25 was referred to the Ways and Means Committee.

January 26, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 3**, **H 5**, **H 10**, **H 11**, and **H 12** and recommend that they do pass.

LAKE, Chairman

H 3, **H 5**, **H 10**, **H 11**, and **H 12** were filed for second reading.

January 26, 2009

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **H 6** and **H 7** and recommend that they do pass.

RAYBOULD, Chairman

H 6 and **H 7** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 101, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HP 1** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HP 1** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Durst. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HP 1** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **HP 1** be adopted?"

Whereupon the Speaker declared **HP 1** adopted by voice vote and ordered the proclamation transmitted to the Senate.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 26 BY DURST

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 33-406, IDAHO CODE, TO PROVIDE FOR APPLICATION BY A QUALIFIED SCHOOL ELECTOR FOR STATUS AS A PERMANENT ABSENTEE VOTER AND TO PROVIDE FOR PROCESSING OF SUCH APPLICATION; AMENDING

SECTION 34-1002, IDAHO CODE, TO PROVIDE FOR WRITTEN APPLICATION BY ANY REGISTERED ELECTOR TO THE COUNTY CLERK FOR STATUS AS A PERMANENT ABSENTEE VOTER, TO PROVIDE FOR VALIDATION, PROCESS AND TABULATION OF ONGOING ABSENTEE BALLOTS, TO PROVIDE FOR TERMINATION OF PERMANENT ABSENTEE VOTER STATUS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 50-443, IDAHO CODE, TO PROVIDE FOR WRITTEN APPLICATION BY ANY REGISTERED MUNICIPAL ELECTOR TO THE CITY CLERK FOR AN OFFICIAL BALLOT, TO PROVIDE FOR ANY REGISTERED MUNICIPAL ELECTOR TO SUBMIT AN APPLICATION TO THE COUNTY CLERK FOR STATUS AS A PERMANENT ABSENTEE VOTER PURSUANT TO IDAHO CODE, TO PROVIDE FOR PROCESSING OF SUCH APPLICATION, TO REVISE A FEDERAL LAW REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 27

BY DURST

AN ACT

RELATING TO LEGISLATURE ELECTION PUBLIC FINANCING; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 26, TITLE 34, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR LEGISLATIVE PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR PUBLIC FINANCING OF LEGISLATURE PRIMARY ELECTIONS, TO PROVIDE FOR PUBLIC FINANCING OF LEGISLATURE GENERAL ELECTIONS, TO PROVIDE FOR LIMITATION ON QUALIFIED ELECTOR PETITION SIGNATURES, TO PROVIDE FOR THE LEGISLATURE ELECTION PUBLIC FINANCE FUND AND TO PROVIDE FOR RULEMAKING AUTHORITY; AMENDING SECTION 63-3088, IDAHO CODE, TO PROVIDE FOR AN INCOME TAX DESIGNATION BY INDIVIDUALS FOR THE LEGISLATURE ELECTION PUBLIC FINANCE FUND AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 28

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE STATE LIQUOR DISPENSARY; AMENDING THE HEADING FOR CHAPTER 2, TITLE 23, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTIONS 23-102, 23-201, 23-202, 23-203, 23-204, 23-205, 23-206, 23-207, 23-208, 23-209, 23-211, 23-212, 23-214, 23-215, 23-216, 23-217, 23-301, 23-302, 23-305, 23-306, 23-307, 23-308, 23-308B AND 23-309, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 23-311, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 23-312, 23-313, 23-402, 23-403, 23-404, 23-406, 23-407, 23-408, 23-409, 23-502, 23-506, 23-507, 23-508, 23-510, 23-512, 23-513, 23-514, 23-515, 23-517, 23-518, 23-519, 23-601, 23-607, 23-608, 23-610, 23-805, 23-914, 23-1303, 23-1305 AND 23-1311, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 33-2105, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTIONS 57-1113, 63-3622M, 63-3638A AND 67-802, IDAHO CODE, TO REVISE TERMINOLOGY.

HOUSE BILL NO. 29

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO TAXATION OF PERSONAL PROPERTY; AMENDING SECTION 63-602KK, IDAHO CODE, TO REVISE THE FISCAL YEAR THAT IS USED TO CALCULATE WHEN THE EXEMPTION TAKES EFFECT AND TO PROVIDE ADDITIONAL PROCEDURES FOR APPLICATION FOR THE EXEMPTION AND RECOVERY OF THE EXEMPTION THAT WAS IMPROPERLY CLAIMED OR APPROVED; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 30

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO PAYMENT AND COLLECTION OF PROPERTY TAXES; AMENDING SECTION 63-902, IDAHO CODE, TO REQUIRE THAT THE PERCENTAGE CHANGE FROM THE PRIOR YEAR'S PROPERTY TAXES AND THE ACREAGE OF THE PROPERTY ARE INCLUDED IN THE PROPERTY TAX NOTICE; AND PROVIDING AN EFFECTIVE DATE.

H 26, H 27, H 28, H 29, and H 30 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 28, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:21 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 28, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused – Boe, Roberts, Schaefer, Stevenson.

Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bryson Lind, Page.

Approval of Journal

January 28, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 28, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 26**, **H 27**, **H 28**, **H 29**, and **H 30**.

CLARK, Chairman

H 26 and **H 27** were referred to the Ways and Means Committee.

H 28 was referred to the State Affairs Committee.

H 29 and **H 30** were referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 31 BY RESOURCES AND CONSERVATION COMMITTEE AN ACT

RELATING TO THE IDAHO FORESTRY ACT; AMENDING SECTION 38-111, IDAHO CODE, TO REVISE CERTAIN COSTS RELATING TO THE PROTECTION AGAINST WILDFIRES, TO PROVIDE FOR THE WILDFIRE EQUIPMENT REPLACEMENT FUND, AND TO PROVIDE THAT THE DEPARTMENT OF LANDS SHALL DETERMINE CERTAIN REIMBURSEMENT RATES.

HOUSE BILL NO. 32 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE STATE ATHLETIC COMMISSION; AMENDING SECTION 54-402, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE A TERM, TO REMOVE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-405, IDAHO CODE, TO REVISE THE COMMISSION'S POWER RELATING TO THE REVOCATION OF SANCTIONING PERMITS FOR CERTAIN CONTESTS AND EXHIBITIONS, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-406, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COMMISSION'S DUTIES AND POWER, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-407, IDAHO CODE, TO REVISE REQUIREMENTS FOR ELIGIBILITY TO COMPETE IN BOXING CONTESTS OR EXHIBITIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-408, IDAHO CODE, TO REVISE PROVISIONS RELATING TO BONDS, OTHER TYPES OF FINANCIAL SECURITY AND MEDICAL INSURANCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-410, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ISSUING LICENSES OR SANCTIONING PERMITS; AMENDING SECTION 54-411, IDAHO CODE, TO REMOVE A PROVISION RELATING TO PARTICIPANT CHANGES FOR CERTAIN EXHIBITIONS, TO REVISE PROVISIONS RELATING TO THE TAX ON GROSS RECEIPTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-414, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO BOXING ROUNDS AND BOUTS AND TO DELETE REQUIREMENTS RELATING TO THE WEIGHT OF GLOVES; AMENDING SECTION 54-415, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PHYSICIANS ATTENDANCE AND EXAMINATIONS OF COMBATANTS AND TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTIONS 54-416, 54-417, 54-418, 54-420, 54-421 AND 54-422, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY.

H 31 and **H 32** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 3, H 5, H 10, H 11, and H 12, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

H 6 and H 7, by Environment, Energy, and Technology Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Thursday, January 29, 2009. Seconded by Mr. Ruchti. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:10 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 29, 2009**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Chew. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Todd Beck, Page.

Approval of Journal

January 29, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventeenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 29, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 31** and **H 32**.

CLARK, Chairman

H 31 was referred to the Resources and Conservation Committee.

H 32 was referred to the State Affairs Committee.

January 29, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 14**, **H 13**, **H 15**, and **SCR 101** and recommend that they do pass.

LOERTSCHER, Chairman

H 14, **H 13**, **H 15**, and **SCR 101** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 33 BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO AGRICULTURE; REPEALING CHAPTER 32, TITLE 22, IDAHO CODE, RELATING TO THE DEPARTMENT OF AGRICULTURE AND THE ARTIFICIAL PRODUCTION OF RAINFALL.

HOUSE BILL NO. 34 BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO COMMODITY DEALERS; AMENDING SECTION 69-503, IDAHO CODE, TO REVISE LICENSE PROVISIONS, TO REQUIRE CERTAIN INSURANCE AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 35 BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-103, IDAHO CODE, TO PROVIDE FOR THE SUPPORT OF A MARKET NEWS SERVICE, TO DELETE REFERENCE TO MAINTENANCE OF A MARKET NEWS SERVICE AND TO PROVIDE CORRECT CODE REFERENCES.

HOUSE BILL NO. 36 BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO THE PURE SEED LAW; AMENDING SECTION 22-435, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE STATE SEED ADVISORY BOARD; AND AMENDING SECTION 22-436, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SEED ARBITRATION AND THE SEED ARBITRATION COUNCIL.

HOUSE BILL NO. 37 BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO BONDED WAREHOUSES; AMENDING SECTION 69-262, IDAHO CODE, TO PROVIDE THAT THE COMMODITY INDEMNITY FUND SHALL NOT BE LIABLE FOR CLAIMS THAT RESULT FROM LOSSES DUE TO UNINSURABLE PHYSICAL PERILS; AND AMENDING SECTION 69-264, IDAHO CODE, TO PROVIDE THAT THE COMMODITY INDEMNITY FUND SHALL NOT BE LIABLE FOR UNPAID AMOUNTS FOR CERTAIN CLAIMS.

HOUSE BILL NO. 38 BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PODIATRISTS; AMENDING SECTION 54-607, IDAHO CODE, TO INCREASE THE MAXIMUM ANNUAL RENEWAL LICENSE FEE.

HOUSE BILL NO. 39 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE DEPARTMENT OF ADMINISTRATION AND GROUP INSURANCE; AMENDING SECTION 67-5333, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE USE OF UNUSED SICK LEAVE BY THE IDAHO PUBLIC EMPLOYEE

RETIREMENT BOARD TO PAY CERTAIN INSURANCE PREMIUMS; AMENDING SECTION 67-5761, IDAHO CODE, TO REVISE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION REGARDING GROUP INSURANCE AND TO REVISE PROVISIONS RELATING TO GROUP INSURANCE COVERAGE FOR CERTAIN RETIREES; AND DECLARING AN EMERGENCY.

H 33, H 34, H 35, H 36, H 37, H 38, and H 39 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 3 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall **H 3** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Black, Chew. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 3** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 5 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 5** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Black, Chew. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 5** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 10 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 10** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Chew. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 10** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 11 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 11** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 67.

NAYS – Barrett, Wood(35). Total – 2.

Absent and excused – Chew. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 11** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 12 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Burgoyne to open debate.

The question being, "Shall **H 12** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti,

Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 69.

NAYS – None.

Absent and excused – Chew. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 12** passed the House.
Title was approved and the bill ordered transmitted to the Senate.

H 6 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 6** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 69.

NAYS – None.

Absent and excused – Chew. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 6** passed the House.
Title was approved and the bill ordered transmitted to the Senate.

H 7 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 7** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 69.

NAYS – None.

Absent and excused – Chew. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 7** passed the House.
Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, January 30, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:08 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 30, 2009

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 57 members present.

Absent and excused – Chew, Jarvis, Killen, Labrador, Lake, Loertscher, Nielsen, Ruchti, Sayler, Schaefer, Smith(24), Takasugi, Wood(35). Total – 13.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Travyn Mapes, Page.

Approval of Journal

January 30, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 29, 2009

Mr. Speaker:

I transmit herewith **S 1016** which has passed the Senate.

WOOD, Secretary

S 1016 was filed for first reading.

Report of Standing Committees

January 30, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 33**, **H 34**, **H 35**, **H 36**, **H 37**, **H 38**, and **H 39**.

CLARK, Chairman

H 33 was filed for second reading.

H 34, **H 35**, **H 36**, and **H 37** were referred to the Agricultural Affairs Committee.

H 38 was referred to the Health and Welfare Committee.

H 39 was referred to the State Affairs Committee.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 40 BY BUSINESS COMMITTEE AN ACT

RELATING TO THE IDAHO LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT; AMENDING SECTION 41-4303, IDAHO CODE, TO PROVIDE THAT THE IDAHO LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT APPLIES TO STRUCTURED SETTLEMENT ANNUITIES, TO PROVIDE THAT THE IDAHO LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT DOES NOT APPLY TO CERTAIN POLICIES OR CONTRACTS AND SHALL NOT PROVIDE COVERAGE TO CERTAIN PERSONS WHO RECEIVE COVERAGE BY AN ASSOCIATION OF ANOTHER STATE; AMENDING SECTION 41-4305, IDAHO CODE, TO REVISE A DEFINITION, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4308, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DUTIES AND LIABILITY OF THE ASSOCIATION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 41-4319, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PROHIBITED ADVERTISEMENT IN THE SALE OF INSURANCE AND TO SPECIFY THAT CERTAIN WRITTEN MATERIAL IS NOT PROHIBITED.

HOUSE BILL NO. 41 BY BUSINESS COMMITTEE AN ACT

RELATING TO THE INDIVIDUAL ACCIDENT AND HEALTH INSURANCE POLICIES; AMENDING SECTION 41-4201, IDAHO CODE, TO INCLUDE GROUP SUPPLEMENTAL DISABILITY INSURANCE POLICIES WITHIN THE PURPOSE OF THE ACT AND TO REVISE TERMINOLOGY; AMENDING SECTION 41-4202, IDAHO CODE, TO REVISE DEFINITIONS AND TO REVISE TERMINOLOGY; AMENDING SECTION 41-4203, IDAHO CODE, TO PROVIDE FOR STANDARDS FOR POLICY PROVISIONS FOR GROUP SUPPLEMENTAL POLICIES OF DISABILITY INSURANCE, TO REVISE TERMINOLOGY, TO CORRECT CODIFIER'S ERRORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4204, IDAHO CODE, TO PROVIDE FOR GROUP SUPPLEMENTAL POLICY MINIMUM STANDARDS FOR BENEFITS, TO REVISE COVERAGES SUBJECT TO MINIMUM STANDARDS FOR BENEFITS AND TO REVISE TERMINOLOGY; AMENDING SECTION 41-4205, IDAHO CODE, TO PROVIDE OUTLINE OF COVERAGE FOR GROUP SUPPLEMENTAL DISABILITY INSURANCE POLICIES, TO PROVIDE LIMITATIONS WHEN SPECIFIED POLICIES SHALL BE OFFERED, CONTINUED OR RENEWED, TO REVISE THE STATEMENT INCLUDED IN OUTLINE OF COVERAGE, TO REVISE TERMINOLOGY, TO CORRECT CODIFIER'S ERRORS AND TO MAKE TECHNICAL CORRECTIONS; AND REPEALING SECTION 41-4206, IDAHO CODE, RELATING TO PREEXISTING CONDITIONS.

HOUSE BILL NO. 42
BY BUSINESS COMMITTEE
AN ACT

RELATING TO THE DEPARTMENT OF INSURANCE;
AMENDING SECTION 41-295, IDAHO CODE, TO PROVIDE
CERTAIN AUTHORITY TO ASSIST AND PARTICIPATE
WITH LAW ENFORCEMENT AGENCIES.

H 40, **H 41**, and **H 42** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1016, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 14, **H 13**, and **H 15**, by State Affairs Committee, were read the second time by title and filed for third reading.

SCR 101, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 2, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 9:08 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**TWENTY-SECOND LEGISLATIVE DAY
MONDAY, FEBRUARY 2, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Chew. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Shirin Johnson, Page.

Approval of Journal

February 2, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Nineteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 30, 2009

Mr. Speaker:

I return herewith **HP 1** and **HCR 6** which have passed the Senate.

WOOD, Secretary

HP 1 was ordered filed in the office of the Chief Clerk.

HCR 6 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 2, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 40**, **H 41**, and **H 42**.

CLARK, Chairman

H 40, **H 41**, and **H 42** were referred to the Business Committee.

February 2, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 20** and **H 23** and recommend that they do pass.

LOERTSCHER, Chairman

H 20 and **H 23** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 7

BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING SUPPORT FOR EXISTING AND NEW INNOVATIVE PRACTICES AND APPROACHES TO PUBLIC EDUCATION IN A TIME OF ECONOMIC UNCERTAINTY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Idaho and the nation have entered unsettled economic times that may reduce tax revenues for years to come; and

WHEREAS, an educated citizenry is necessary for the continuation of a republican form of limited government; and

WHEREAS, the current economic crisis requires legislators and educators to consider innovative approaches to public education that will maintain or improve current academic successes while operating with fewer funds; and

WHEREAS, clear and concise goals give unified purpose and direction and create a more efficient public education system; and

WHEREAS, a cost-effective and quality education system requires active cooperation among parents, teachers and students.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we:

(1) Encourage the Idaho Department of Education and the Idaho State Board of Education to implement strategies that will make public schools more efficient, allowing education to continue improving while expending less money;

(2) Support efforts that ensure as much appropriated money as possible reaches the classroom where it best serves teachers and students;

(3) Seek to boost student academic achievement by empowering parents and students with increased choices and options; and

(4) Endorse an increase in school district flexibility and discretionary funding.

BE IT FURTHER RESOLVED that the Legislature of the State of Idaho encourages support for existing innovative school practices and for the consideration of new ideas including, but not limited to:

(1) Grade accelerating exit exams to encourage hardworking students who have demonstrated the academic readiness to move ahead in subject matter or grade level;

(2) Early graduation for students who have demonstrated that they are college ready, and further allow a portion of the money that would have been expended at a lower grade level to follow students to their next level of education;

(3) The exploration of other innovations that lead to greater student academic achievement and school improvement; and

(4) The strengthening of programs to ensure every student graduates with a marketable skill.

**HOUSE CONCURRENT RESOLUTION NO. 8
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO DEVELOP AND SUBMIT ON BEHALF OF THE STATE BOARD OF EDUCATION AND THE IDAHO DEPARTMENT OF EDUCATION AN APPLICATION TO THE UNITED STATES DEPARTMENT OF EDUCATION FOR ADMITTANCE INTO THE UNITED STATES DEPARTMENT OF EDUCATION'S GROWTH MODEL PILOT PROGRAM.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, each child is unique and deserves to have his or her academic achievement measured against the child's own potential; and

WHEREAS, each classroom offers students unique challenges and opportunities; and

WHEREAS, the state of Idaho is becoming increasingly interested in the use of performance-based pay systems for teachers; and

WHEREAS, the current use of the modified bookmark technique to measure student academic achievement on standardized tests does not adequately portray the performance of either students or teachers; and

WHEREAS, many states have seen the benefit of the growth model for measuring student academic achievement; and

WHEREAS, the expected reauthorization of the federal No Child Left Behind program will permit the expanded use of the growth model for measuring student academic achievement; and

WHEREAS, the state of Idaho has approved and begun funding the development of a longitudinal data system that significantly improves the ability to implement a growth model system for measuring academic performance.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to develop and submit on behalf of the State Board of Education and the Idaho Department of Education an application to the United States Department of Education for admittance into the United States Department of Education's Growth Model Pilot Program as that program relates to the state of Idaho's compliance with the federal No Child Left Behind program. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the Legislative Council is requested to appoint the following legislators and ex officio members to the committee.

Legislative members shall include:

(a) The chairman, one member of the majority party and one member of the minority party from the Senate Education Committee; and

(b) The chairman, one member of the majority party and one member of the minority party from the House Education Committee.

Ex officio members shall include:

(a) The Superintendent of Public Instruction or his designee;

(b) The Director of the State Board of Education or his designee;

(c) The President of the Idaho Education Association or his designee;

(d) The Director of the Idaho School Boards Association or his designee;

(e) The President of the Idaho Parent Teacher Association (PTA) or his designee;

(f) Idaho's Teacher of the Year or his designee;

(g) The President of the Idaho Association of School Administrators or his designee; and

(h) The United States Department of Education Secretary's Regional Representative for Region X or that Secretary's Regional Representative's designee (nonvoting committee member).

BE IT FURTHER RESOLVED that the cochairmen of the committee shall be the chairmen of the Senate and the House Education Committees. These cochairmen shall jointly appoint one additional member to the committee from a College of Education at the University of Idaho, Idaho State University, Lewis-Clark State College or Boise State University.

BE IT FURTHER RESOLVED that nonlegislative members of the committee who are appointed by the Legislative Council shall not be reimbursed from legislative funds for per diem, mileage or other expenses.

HCR 7 and HCR 8 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 43
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO THE DEPARTMENT OF COMMERCE AND INNOVATION; AMENDING SECTION 49-416C, IDAHO CODE, TO PROVIDE FOR AN INNOVATION MOTOR VEHICLE LICENSE PLATE AND TO DIRECT THE ALLOCATION OF REVENUE DERIVED FROM SUCH LICENSE PLATES; AMENDING SECTION 67-4725, IDAHO CODE, TO PROVIDE FOR THE IDAHO INNOVATION FUND; AND AMENDING SECTION 67-4726, IDAHO CODE, TO REVISE TERMINOLOGY.

**HOUSE BILL NO. 44
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO THE PRACTICE OF PHYSICAL THERAPY; AMENDING SECTION 54-2205, IDAHO CODE, TO REVISE THE COMPENSATION OF BOARD MEMBERS; AND AMENDING SECTION 54-2212, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LICENSING REQUIREMENTS FOR FOREIGN-EDUCATED PHYSICAL THERAPISTS.

**HOUSE BILL NO. 45
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO PSYCHOLOGISTS; AMENDING SECTION 54-2302, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2303, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REVISE PROVISIONS RELATING TO EXEMPTIONS FROM LICENSURE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2304, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REVISE A PROVISION RELATING

TO NOTICE REQUIREMENTS FOR BOARD MEETINGS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2305, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REVISE PROVISIONS RELATING TO POWERS OF THE BOARD AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-2306, IDAHO CODE, RELATING TO THE EXEMPTION OF SOCIAL PSYCHOLOGISTS; AMENDING SECTION 54-2307, IDAHO CODE, TO REVISE PROVISIONS RELATING TO QUALIFICATIONS FOR LICENSURE, TO INCREASE THE APPLICATION FEE CAP AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2309, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE REVOCATION, SUSPENSION, RESTRICTION AND DISCIPLINE OF A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2312, IDAHO CODE, TO REVISE CERTAIN FEES, TO REVISE PROVISIONS RELATING TO QUALIFICATIONS FOR LICENSURE AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-2312A, IDAHO CODE, TO REVISE CERTAIN FEES AND TO REVISE PROVISIONS RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR CERTAIN PSYCHOLOGISTS SEEKING LICENSURE; AND AMENDING SECTION 54-2315, IDAHO CODE, TO INCREASE THE LICENSE RENEWAL FEE.

HOUSE BILL NO. 46

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO SOCIAL WORK LICENSING ACT; AMENDING SECTION 54-3202, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 54-3209, IDAHO CODE, TO INCREASE THE APPLICATION FEE CAP AND TO INCREASE THE LICENSE RENEWAL FEE CAP.

HOUSE BILL NO. 47

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-711, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DETERMINING FAIR MARKET VALUE OF CERTAIN PROPERTIES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 48

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-718, IDAHO CODE, TO PROVIDE FOR REASONABLE AND NECESSARY COSTS AND ATTORNEY FEES IN CERTAIN PROCEEDINGS.

HOUSE BILL NO. 49

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO PROPERTY TAXATION; AMENDING SECTION 63-602KK, IDAHO CODE, TO SPECIFY THE DATE THE SECTION TAKES EFFECT AND TO CORRECT THE CALCULATION OF REIMBURSEMENTS FOR EXEMPT PERSONAL PROPERTY LOCATED IN REVENUE ALLOCATION AREAS; AMENDING SECTION 63-802, IDAHO CODE, TO CORRECT THE CALCULATION OF THE THREE PERCENT PROPERTY TAX BUDGET LIMITATION RELATING TO REIMBURSEMENT MONEYS FOR EXEMPT

PERSONAL PROPERTY; AND AMENDING SECTION 63-803, IDAHO CODE, TO CORRECT THE DEFINITION OF TAXABLE VALUE OF PROPERTY ON THE BASE ASSESSMENT ROLL OF A REVENUE ALLOCATION AREA.

HOUSE BILL NO. 50

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO TAXATION OF PERSONAL PROPERTY; AMENDING SECTION 63-602KK, IDAHO CODE, TO PROVIDE THAT THE EXEMPTION FROM THE PERSONAL PROPERTY TAX SHALL APPLY TO MARKET VALUE FOR ASSESSMENT PURPOSES OF SUCH PERSONAL PROPERTY, TO PROVIDE THAT THE PERSONAL PROPERTY EXEMPTION SHALL ALSO BE APPLICABLE TO THE MARKET VALUE FOR ASSESSMENT PURPOSES OF PERSONAL PROPERTY INCLUDED IN THE SYSTEM VALUE OF OPERATING PROPERTY, TO PROVIDE THAT THE EFFECTIVE DATE OF THE EXEMPTION FROM THE PERSONAL PROPERTY TAX SHALL BE JANUARY 1 OF THE YEAR FOLLOWING CERTIFICATION BY THE STATE CONTROLLER THAT RECEIPTS FOR AN IMMEDIATELY PRECEDING FISCAL YEAR HAVE EXCEEDED THE RECEIPTS TO THE GENERAL FUND BY FIVE PERCENT OR MORE THAN THE RECEIPTS TO THE GENERAL FUND FOR THE STATE FISCAL YEAR ENDING JUNE 30, 2008, TO PROVIDE A TIME FOR CERTIFICATION OF RECEIPTS TO THE GENERAL FUND BY THE STATE CONTROLLER AND TO PROVIDE TO THE EXTENT PERSONAL PROPERTY OWNED BY A PUBLIC UTILITY HAS BEEN IDENTIFIED AS OPERATING PROPERTY FOR ASSESSMENT PURPOSES BY THE STATE TAX COMMISSION PURSUANT TO CHAPTER 4, TITLE 63, IDAHO CODE, THE STATE TAX COMMISSION SHALL PROVIDE FOR A SEPARATE DETERMINATION OF MARKET VALUE FOR ASSESSMENT PURPOSES OF SUCH PERSONAL PROPERTY WITHIN THE SYSTEM VALUE AS DETERMINED BY THE STATE TAX COMMISSION AND SHALL CERTIFY TO THE COUNTY AUDITORS OF THE VARIOUS COUNTIES THE PORTION OF THE SYSTEM VALUE THAT IS ATTRIBUTABLE TO PERSONAL PROPERTY.

HOUSE BILL NO. 51

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3022J, IDAHO CODE, TO PROVIDE A STATE INCOME TAX DEDUCTION FOR DONATIONS OF TECHNOLOGICAL EQUIPMENT TO PRIVATE ELEMENTARY OR PRIVATE SECONDARY SCHOOLS AND TO DEFINE "PRIVATE ELEMENTARY OR PRIVATE SECONDARY SCHOOL"; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 52

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PUBLIC UTILITIES REGULATION; AMENDING SECTION 61-315, IDAHO CODE, TO PROVIDE THAT WITH THE APPROVAL OF THE PUBLIC UTILITIES COMMISSION, A PUBLIC UTILITY MAY ESTABLISH REASONABLE NONRECURRING CHARGES FOR NEW CUSTOMERS TO PARTIALLY RECOVER THE COSTS OF PUBLIC UTILITY CAPITAL INVESTMENT IN NEW

FACILITIES TO SERVE NEW CUSTOMER GROWTH AND TO DEFINE THE TERM "NEW CUSTOMER."

H 43, H 44, H 45, H 46, H 47, H 48, H 49, H 50, H 51, and H 52 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 33, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

S 1016, by Finance Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Loertscher asked unanimous consent that **H 14** be placed on General Orders for consideration. There being no objection it was so ordered.

H 13 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall **H 13** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Clark, Nielsen, Schaefer. Total – 3.

Absent and excused – Boyle, Chew. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 13** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 15 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Higgins to open debate.

The question being, "Shall **H 15** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Schaefer. Total – 1.

Absent and excused – Boyle, Chew. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 15** passed the House. Title was approved and the bill ordered transmitted to the Senate.

SCR 101 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **SCR 101** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Chew. Total – 1.

Total – 70.

Whereupon the Speaker declared **SCR 101** adopted and ordered the resolution returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 3, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:20 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, FEBRUARY 3, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Pastor Gary Moore.

The Pledge of Allegiance was led by Breanna Fuechsel, Page.

Approval of Journal

February 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 2, 2009

Mr. Speaker:

I transmit herewith **S 1014** which has passed the Senate.

WOOD, Secretary

S 1014 was filed for first reading.

Report of Standing Committees

February 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 7**, **HCR 8**, **H 43**, **H 44**, **H 45**, **H 46**, **H 47**, **H 48**, **H 49**, **H 50**, **H 51**, and **H 52**.

CLARK, Chairman

HCR 7 and **HCR 8** were referred to the Education Committee.

H 43 was referred to the Commerce and Human Resources Committee.

H 44, **H 45**, and **H 46** were referred to the Health and Welfare Committee.

H 47 and **H 48** were referred to the Transportation and Defense Committee.

H 49, **H 50**, and **H 51** were referred to the Revenue and Taxation Committee.

H 52 was referred to the State Affairs Committee.

February 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 6**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 6** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 2, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 35** and **H 36** and recommend that they do pass.

TRAIL, Chairman

H 35 and **H 36** were filed for second reading.

February 2, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 22** and recommend that it do pass.

WOOD, Chairman

H 22 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 53 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO THE HAZARDOUS SUBSTANCE EMERGENCY RESPONSE ACT; AMENDING SECTION 39-7102, IDAHO CODE, TO REVISE LEGISLATIVE FINDINGS AND PURPOSES; AMENDING SECTION 39-7103, IDAHO CODE, TO REVISE DEFINITIONS, TO PROVIDE A CORRECT CODE REFERENCE AND TO DEFINE A TERM; AMENDING SECTION 39-7104, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE MILITARY DIVISION'S POWERS AND DUTIES; AMENDING SECTION 39-7109, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REIMBURSEMENT OF CERTAIN COSTS; AND AMENDING SECTION 39-7112, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RECOVERABLE COSTS AND CIVIL REMEDIES.

HOUSE BILL NO. 54 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-712, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LAWFUL INTEREST ON COMPENSATION AND DAMAGES AWARDED IN EMINENT DOMAIN CASES.

HOUSE BILL NO. 55
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO LICENSES FOR NURSING; AMENDING SECTION 54-1407, IDAHO CODE, TO PROVIDE AN ALTERNATIVE WAY TO QUALIFY FOR A PRACTICAL NURSING LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-1408, IDAHO CODE, TO PROVIDE AN ALTERNATIVE WAY TO QUALIFY FOR A PROFESSIONAL NURSING LICENSE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 56
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
 AN ACT

RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING SECTION 67-5309, IDAHO CODE, TO PROVIDE FOR A RULE THAT ANY INCUMBENT CLASSIFIED EMPLOYEE WHO IS REMOVED FROM HIS OR HER POSITION BECAUSE OF BUDGET CONSTRAINTS DURING FISCAL YEAR 2009, 2010 OR 2011, SHALL BE DEEMED TO BE ON A FURLOUGH AND SHALL BE REINSTATED IN THE SAME OR SIMILAR POSITION IF SUCH A POSITION BECOMES AVAILABLE DURING A CERTAIN TIME PERIOD, TO PROVIDE FOR AN EXCEPTION AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY.

H 53, **H 54**, **H 55**, and **H 56** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1014, by Broadsword, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 20 and **H 23**, by State Affairs Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 33 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall **H 33** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Bayer. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 33** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1016 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1016** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

Whereupon the Speaker declared that **S 1016** passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 4, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:16 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 4, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 62 members present.

Absent and excused – Bedke, Black, Block, McGeachin, Schaefer, Shepherd(08), Wills, Wood(27). Total – 8.
Total – 70.

Prayer was offered by Pastor Gary Moore.

The Pledge of Allegiance was led by Danielle Schmidt, Page.

Approval of Journal

February 4, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 3, 2009

Mr. Speaker:

I transmit herewith **S 1009**, **S 1011**, and **S 1013** which have passed the Senate.

WOOD, Secretary

S 1009, **S 1011**, and **S 1013** were filed for first reading.

February 3, 2009

Mr. Speaker:

I return herewith enrolled **HCR 6** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 6** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

February 4, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 53**, **H 54**, **H 55**, and **H 56**.

CLARK, Chairman

H 53 and **H 54** were referred to the Transportation and Defense Committee.

H 55 was referred to the Health and Welfare Committee.

H 56 was referred to the Commerce and Human Resources Committee.

February 3, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 28** and recommend that it do pass.

LOERTSCHER, Chairman

H 28 was filed for second reading.

February 3, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 32** and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

H 32 was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 9 BY EDUCATION COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DIVISION OF VOCATIONAL REHABILITATION RELATING TO RULES OF THE IDAHO DIVISION OF VOCATIONAL REHABILITATION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Division of Vocational Rehabilitation relating to Rules of the Idaho Division of Vocational Rehabilitation are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 47.01.01, rules governing Rules of the Idaho Division of Vocational Rehabilitation, Section 100, relating to Client/Participant Appeals, Subsections 01, 02 and 03, the stricken language only, and Section 301, relating to Transparency, Rules of the Division of Vocational Rehabilitation, adopted as pending rules under Docket Number 47-0101-0801, be, and the same are hereby rejected and declared null, void and of no force and effect.

HCR 9 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 57
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE IDAHO DIGITAL LEARNING ACADEMY; AMENDING SECTION 33-1228, IDAHO CODE, TO PROVIDE THAT PUBLIC SCHOOL EMPLOYMENT SHALL BE DEFINED TO INCLUDE THE EMPLOYEES OF THE IDAHO DIGITAL LEARNING ACADEMY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-5503, IDAHO CODE, TO REVISE THE MAKEUP OF THE IDAHO DIGITAL LEARNING ACADEMY BOARD OF DIRECTORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5504A, IDAHO CODE, TO REVISE STATUTORY PROVISIONS REGARDING THE IDAHO DIGITAL LEARNING ACADEMY CONCERNING SICK LEAVE AND SEVERANCE ALLOWANCE AT RETIREMENT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 58
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-202, IDAHO CODE, TO PROVIDE THAT THE PARENT OR GUARDIAN OF ANY CHILD RESIDENT IN THIS STATE WHO HAS NOT ATTAINED THE AGE OF EIGHTEEN YEARS SHALL CAUSE SUCH CHILD TO BE INSTRUCTED IN SUBJECTS COMMONLY AND USUALLY TAUGHT IN THE PUBLIC SCHOOLS OF THIS STATE AND TO PROVIDE FOR EXCEPTIONS; AMENDING SECTION 33-207, IDAHO CODE, TO PROVIDE THAT WHENEVER THE PARENTS OR GUARDIANS OF ANY CHILD BETWEEN THE AGES OF SEVEN AND EIGHTEEN YEARS HAVE FAILED, NEGLECTED OR REFUSED TO PLACE SUCH CHILD IN SCHOOL OR TO HAVE SUCH CHILD COMPARABLY INSTRUCTED OR KNOWINGLY HAVE ALLOWED A PUPIL TO BECOME AN HABITUAL TRUANT, CERTAIN PROCEEDINGS SHALL BE BROUGHT AGAINST SUCH PARENT OR GUARDIAN AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 59
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO COMPENSATION OF VICTIMS OF CRIMES; AMENDING SECTION 19-5307, IDAHO CODE, TO PROVIDE THAT A CERTAIN FELONY BE INCLUDED IN THE LIST OF CRIMES OF VIOLENCE THAT QUALIFY FOR A MONETARY FINE.

**HOUSE BILL NO. 60
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO WITNESSES IN CRIMINAL PROCEEDINGS; AMENDING CHAPTER 30, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-3004A, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO ADMINISTRATIVE SUBPOENAS FOR CERTAIN RECORDS AND INFORMATION ISSUED TO A PROVIDER OF ELECTRONIC COMMUNICATION

SERVICE OR A PROVIDER OF A REMOTE COMPUTING SERVICE BY THE PROSECUTING ATTORNEY OR ATTORNEY GENERAL.

**HOUSE BILL NO. 61
BY APPROPRIATIONS COMMITTEE
AN ACT**

RELATING TO FINANCING THE FUNCTIONS OF STATE GOVERNMENT; PROVIDING A SHORT TITLE; DECLARING LEGISLATIVE INTENT REGARDING GENERAL FUND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2009; TRANSFERRING FUNDS FROM THE PUBLIC EDUCATION STABILIZATION FUND TO THE GENERAL FUND; TRANSFERRING FUNDS FROM THE CAPITOL ENDOWMENT INCOME FUND TO THE GENERAL FUND; TRANSFERRING FUNDS FROM THE AQUIFER PLANNING AND MANAGEMENT FUND TO THE GENERAL FUND; TRANSFERRING FUNDS FROM THE PERMANENT BUILDING FUND TO THE GENERAL FUND; TRANSFERRING FUNDS FROM THE CONSUMER PROTECTION FUND TO THE GENERAL FUND; REDUCING THE APPROPRIATION TO AGENCIES AND INSTITUTIONS FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO AGENCIES FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO AGENCIES AND INSTITUTIONS FOR EMPLOYER HEALTH INSURANCE COSTS FOR FISCAL YEAR 2009; LIMITING THE TRANSFER OF MONEYS FROM THE GENERAL FUND TO THE LEGISLATIVE FUND; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 62
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO LOBBYIST EXPENDITURES; AMENDING SECTION 67-6619, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN ANNUAL, SEMI-ANNUAL AND MONTHLY PERIODIC REPORTS AND TO DELETE A REQUIREMENT THAT A CERTAIN THRESHOLD BE ADJUSTED BIENNIALY.

**HOUSE BILL NO. 63
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO FLOATING HOMES; AMENDING SECTION 55-2704, IDAHO CODE, TO REVISE THE DEFINITION OF "FLOATING HOME"; AND AMENDING SECTION 63-201, IDAHO CODE, TO REVISE THE DEFINITION OF "FLOATING HOME" AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 64
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO INCOME TAXES; AMENDING SECTION 63-3004, IDAHO CODE, TO UPDATE REFERENCES TO THE INTERNAL REVENUE CODE AND TO PROVIDE THAT THE ADDITIONAL STANDARD DEDUCTION FOR REAL PROPERTY TAXES FOR NONITEMIZERS DOES APPLY; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND RETROACTIVE EFFECTIVE DATES.

H 57, H 58, H 59, H 60, H 61, H 62, H 63, and H 64 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1009, by Education Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1011 and **S 1013**, by Education Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 35 and **H 36**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 22, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 5, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:15 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 5, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused – Cronin, Durst, Roberts, Ruchti.

Total – 4.

Total – 70.

Prayer was offered by Pastor Gary Moore.

The Pledge of Allegiance was led by Erica Olsen, Page.

Approval of Journal

February 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 4, 2009

Mr. Speaker:

I transmit herewith enrolled **SCR 101** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **SCR 101** and, when so signed, ordered it returned to the Senate.

February 4, 2009

Mr. Speaker:

I transmit herewith **SCR 102**, **S 1012**, **S 1041**, and **S 1044** which have passed the Senate.

WOOD, Secretary

SCR 102, **S 1012**, **S 1041**, and **S 1044** were filed for first reading.

February 4, 2009

Mr. Speaker:

I return herewith **HCR 2**, **HCR 3**, **HCR 4**, and **HCR 5** which have passed the Senate.

WOOD, Secretary

HCR 2, **HCR 3**, **HCR 4**, and **HCR 5** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 9**, **H 57**, **H 58**, **H 59**, **H 60**, **H 61**, **H 62**, **H 63**, and **H 64**.

CLARK, Chairman

HCR 9, **H 61**, and **H 64** were filed for second reading.

H 57 and **H 58** were referred to the Education Committee.

H 59 and **H 60** were referred to the Judiciary, Rules, and Administration Committee.

H 62 was referred to the State Affairs Committee.

H 63 was referred to the Revenue and Taxation Committee.

February 4, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 34** and **H 37** and recommend that they do pass.

TRAIL, Chairman

H 34 and **H 37** were filed for second reading.

February 4, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 9** and recommend that it do pass.

WOOD, Chairman

H 9 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 10 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE LOTTERY COMMISSION RELATING TO RULES GOVERNING CHARITABLE GAMING.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Lottery Commission relating to Rules Governing Charitable Gaming are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 52.01.02, Gaming Rules of the Idaho State Lottery Commission, Section 303, relating to Limitation of Involvement by For-Profit Businesses, and Section 304, as it is proposed to be deleted, relating to Compensation of Certain Persons and Contracts with Certain Persons Prohibited, under Docket 52-0102-0801, be, and the same are hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 11
BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE STATE OF IDAHO AND STATE AGENCIES TO IDENTIFY BARRIERS TO PARTNERSHIP WITH FAITH-BASED AND COMMUNITY ORGANIZATIONS AND TO IMPROVE OPPORTUNITIES FOR SUCH PARTNERSHIP.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, current difficult economic conditions are impacting the lives of many Idahoans; and

WHEREAS, demand for social services is rising as economic conditions worsen; and

WHEREAS, the state of Idaho's social service system is incapable of assisting all of those in need; and

WHEREAS, faith-based and community organizations are prepared to serve a vital role in assisting those in need; and

WHEREAS, coordination between Idaho State government and faith-based and community organizations is unknown; and

WHEREAS, the state of Idaho desires to partner with faith-based and community organizations to deliver services to those in need.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the state of Idaho and its agencies are encouraged to identify current barriers to partnership with faith-based and community organizations.

BE IT FURTHER RESOLVED that the state of Idaho and its agencies are encouraged to identify current partnerships with faith-based and community organizations.

BE IT FURTHER RESOLVED that the state of Idaho and its agencies are encouraged to report back to the Governor and the Legislature their findings regarding barriers to and current partnerships with faith-based and community organizations.

BE IT FURTHER RESOLVED that the state of Idaho and its agencies are encouraged to convene a conference in conjunction with members of the faith-based and community organizations to begin a dialogue and improve opportunities for partnership.

HCR 10 and **HCR 11** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 102, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 65
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO FIREARMS; AMENDING SECTION 18-3314, IDAHO CODE, TO PROVIDE FOR THE OUT-OF-STATE PURCHASE OF FIREARMS BY RESIDENTS OF IDAHO AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 18-3315, IDAHO CODE, TO PROVIDE FOR THE PURCHASE OF FIREARMS IN IDAHO BY NONRESIDENTS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 66
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 67
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 68
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 21-805, IDAHO CODE, TO PROVIDE DUTIES OF THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS IN AN ELECTION TO ESTABLISH A REGIONAL AIRPORT AUTHORITY, TO PROVIDE ELECTION DATES, TO PROVIDE FOR CANVASSING OF VOTES BY THE COUNTY BOARD OF CANVASSERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 21-806, IDAHO CODE, TO PROVIDE FOR AN ELECTION OF A BOARD OF TRUSTEES OF A REGIONAL AIRPORT AUTHORITY; AMENDING SECTION 22-2721, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL BE THE ELECTION OFFICIAL AND SHALL CONDUCT ALL ELECTIONS OF A SOIL CONSERVATION DISTRICT, TO PROVIDE FOR PAYMENT OF ELECTION EXPENSES BY THE COUNTY THAT CONDUCTS THE ELECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2725, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL SUPERVISE AN ELECTION TO DISCONTINUE A SOIL CONSERVATION DISTRICT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-4301, IDAHO CODE, TO PROVIDE FOR ELECTIONS OF A WEATHER MODIFICATION DISTRICT TO BE CONDUCTED BY THE COUNTY CLERK ON SPECIFIED DATES AND TO PROVIDE FOUR YEAR TERMS FOR BOARD MEMBERS; AMENDING SECTION 23-917, IDAHO CODE, TO PROVIDE THAT A LOCAL OPTION REFERENDUM ELECTION SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 23-918, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK MUST FURNISH ELECTION BALLOTS AND TO PROVIDE THAT THE ELECTOR MUST INDICATE THE ELECTOR'S CHOICE ON THE BALLOT; AMENDING SECTION 23-919, IDAHO CODE, TO PROVIDE THAT THE COUNTY BOARD OF CANVASSERS SHALL CERTIFY ELECTION RESULTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 27-107, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF A CEMETERY MAINTENANCE DISTRICT SHALL BE CONDUCTED IN ACCORDANCE WITH CHAPTERS 12 AND 14, TITLE 34, IDAHO CODE, AND TO PROVIDE DUTIES OF THE COUNTY CLERK; AMENDING SECTION 27-111, IDAHO CODE, TO PROVIDE THAT ELECTIONS FOR CEMETERY MAINTENANCE DISTRICT COMMISSIONERS SHALL BE CONDUCTED BY THE COUNTY CLERK, TO PROVIDE FOR TRANSITION OF TERMS FROM EVEN-NUMBERED YEARS TO ODD-NUMBERED YEARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-402, IDAHO CODE, TO PROVIDE THE DATE THAT AN ELECTION TO CONSOLIDATE COUNTIES SHALL BE HELD; AMENDING

SECTION 31-403, IDAHO CODE, TO PROVIDE THAT THE CONTENT OF A PETITION TO HOLD AN ELECTION TO CONSOLIDATE COUNTIES SHALL INDICATE A CERTAIN DATE; AMENDING SECTION 31-407, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN AN ELECTION TO CONSOLIDATE COUNTIES AND TO PROVIDE FOR APPLICATION OF LAW; AMENDING SECTION 31-408, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK FOR PREPARATION AND FORM OF BALLOTS; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-809A, IDAHO CODE, TO PROVIDE FOR THE CREATION OF A COUNTY ELECTION FUND IN EACH COUNTY AND TO PROVIDE FOR WHAT MONEYS IN THE FUND MAY BE USED; AMENDING SECTION 31-1406, IDAHO CODE, TO REVISE PROCEDURES FOR ELECTION OF DIRECTORS IN A FIRE PROTECTION DISTRICT; AMENDING SECTION 31-1410, IDAHO CODE, TO PROVIDE FOR ELECTION OF FIRE PROTECTION DISTRICT COMMISSIONERS IN ODD-NUMBERED YEARS, TO PROVIDE FOR TRANSITION OF TERMS TO ELECTIONS IN ODD-NUMBERED YEARS, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-4306, IDAHO CODE, TO REVISE PROCEDURES FOR ELECTION OF RECREATION DISTRICT DIRECTORS; AMENDING SECTION 31-4323, IDAHO CODE, TO PROVIDE THAT RECREATION DISTRICT ELECTIONS ARE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4325, IDAHO CODE, TO PROVIDE THAT ELECTIONS FOR PROPOSED INDEBTEDNESS OF A RECREATION DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 31-4510, IDAHO CODE, TO PROVIDE THAT THE ELECTION SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 31-4701, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN COUNTY MUSEUM BOARD ELECTIONS IN ACCORDANCE WITH TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-308, IDAHO CODE, TO PROVIDE THE DATES THAT SCHOOL DISTRICT ELECTIONS TO EXCISE AND ANNEX TERRITORY SHALL BE HELD AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-311, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE HOW CONSOLIDATED ELECTIONS ARE CONDUCTED; AMENDING SECTION 33-312, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO DIVIDE A SCHOOL DISTRICT SHALL BE HELD ON PROVIDED DATES AND CONDUCTED ACCORDING TO TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-313, IDAHO CODE, TO REQUIRE SUBMISSION TO THE COUNTY CLERK OF CERTAIN INFORMATION UPON APPROVAL BY THE STATE BOARD OF EDUCATION TO CHANGE TRUSTEE ZONES, TO DELETE REFERENCE TO THE LENGTH OF TERM OF OFFICE FOR MEMBERS OF A SCHOOL BOARD OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-317, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF COOPERATIVE SERVICE AGENCIES SHALL BE HELD ON SPECIFIED DATES AND CONDUCTED PURSUANT TO SECTION 34-106, IDAHO CODE; AMENDING SECTION

33-351, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CREATE SCHOOL SUBDISTRICTS SHALL BE HELD ON SPECIFIED DATES AND CONDUCTED PURSUANT TO SECTION 34-106, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-354, IDAHO CODE, TO REVISE HOW SCHOOL BOND ELECTIONS ARE CONDUCTED, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-401, IDAHO CODE, TO REVISE LEGISLATIVE INTENT REGARDING SCHOOL ELECTIONS; AMENDING SECTION 33-402, IDAHO CODE, TO REVISE NOTICE REQUIREMENTS REGARDING SCHOOL ELECTIONS; REPEALING SECTIONS 33-403, 33-403A, 33-403B AND 33-403C, IDAHO CODE, RELATING TO CONDUCTING SCHOOL ELECTIONS; AMENDING SECTION 33-404, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 33-405, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE; REPEALING SECTIONS 33-405A, 33-405B, 33-406, 33-406A, 33-407, 33-408, 33-409, 33-410, 33-411, 33-412, 33-413, 33-414, 33-415, 33-416, 33-417, 33-418, 33-419, 33-420, 33-421, 33-422, 33-423, 33-424, 33-428, 33-429, 33-430, 33-431, 33-432, 33-433, 33-434, 33-435, 33-436, 33-437, 33-438, 33-439, 33-440, 33-441 AND 33-442, IDAHO CODE, RELATING TO SCHOOL DISTRICT ELECTIONS AS CONDUCTED BY THE SCHOOL DISTRICT; AMENDING SECTION 33-501, IDAHO CODE, TO INCREASE THE TERMS OF SCHOOL DISTRICT BOARDS OF TRUSTEE MEMBERS FROM THREE YEARS TO FOUR YEARS EFFECTIVE AT TIMES AS PROVIDED; REPEALING SECTIONS 33-502A, 33-502C AND 33-502D, IDAHO CODE, RELATING TO CANDIDATES FOR SCHOOL DISTRICT BOARDS OF TRUSTEES; AMENDING SECTION 33-502B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE PROCEDURES; AMENDING SECTION 33-503, IDAHO CODE, TO PROVIDE FOR ELECTION OF SCHOOL DISTRICT BOARDS OF TRUSTEES IN ODD-NUMBERED YEARS ON THE THIRD TUESDAY IN MAY IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 14, TITLE 34, IDAHO CODE; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-503A, IDAHO CODE, TO PROVIDE FOR THE TRANSITION OF SCHOOL TRUSTEE TERMS FROM THREE YEARS TO FOUR YEARS; AMENDING SECTION 33-504, IDAHO CODE, TO PROVIDE FOR APPOINTMENT TO FILL A VACANCY ON A SCHOOL DISTRICT BOARD OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-505, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OR SELECTION OF A SCHOOL DISTRICT BOARD OF TRUSTEES IN A NEWLY CREATED SCHOOL DISTRICT, TO PROVIDE FOR TERMS OF FOUR YEARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-601, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-802, IDAHO CODE, TO PROVIDE THAT CERTAIN SCHOOL LEVY ELECTIONS ARE HELD ON DATES AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 33-803, IDAHO CODE, TO PROVIDE THAT A TAX LEVY ELECTION FOR EDUCATION OF CHILDREN OF MIGRATORY FARM WORKERS IS CONDUCTED AS PROVIDED IN TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-804, IDAHO CODE, TO PROVIDE THAT A SCHOOL

PLANT FACILITIES RESERVE FUND LEVY IS HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND IS CONDUCTED AS PROVIDED IN TITLE 34, IDAHO CODE; AMENDING SECTIONS 33-1103 AND 33-1510, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-2106, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF TRUSTEES OF COMMUNITY COLLEGE DISTRICTS SHALL BE HELD IN ODD-NUMBERED YEARS, TO DELETE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2111, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-2715, IDAHO CODE, TO PROVIDE THAT LIBRARY DISTRICT BOARDS OF TRUSTEES SHALL BE ELECTED IN ODD-NUMBERED YEARS FOR TERMS OF SIX YEARS, TO PROVIDE FOR INITIAL APPOINTMENTS OF BOARD MEMBERS, TO PROVIDE FOR TRANSITION OF BOARD MEMBER TERMS TO TERMS OF SIX YEARS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2716, IDAHO CODE, TO DELETE REFERENCE TO ANNUAL ELECTIONS; AMENDING SECTION 33-2718, IDAHO CODE, TO PROVIDE THAT TRUSTEE ELECTIONS SHALL BE HELD IN ODD-NUMBERED YEARS, TO PROVIDE FOR TRANSITION OF BOARD MEMBER TERMS TO TERMS OF SIX YEARS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-106, IDAHO CODE, TO PROVIDE FOR TWO ELECTIONS IN A CALENDAR YEAR ON SPECIFIED DATES, TO PROVIDE THAT COMMUNITY COLLEGE AND SCHOOL DISTRICT ELECTIONS ARE SUBJECT TO THE LIMITATION ON DATES OF ELECTIONS, TO ALLOW SCHOOL DISTRICTS AN ADDITIONAL TWO DATES EACH YEAR ON WHICH ELECTIONS MAY BE HELD, TO REQUIRE BOND, LEVY AND OTHER BALLOT QUESTION ELECTIONS TO BE HELD WITHIN A TIME CERTAIN UNLESS OTHERWISE PROVIDED BY LAW, TO PROVIDE FOR RECALL ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-304, IDAHO CODE, TO REVISE THE LAW RELATING TO CHALLENGERS AND WATCHERS; AMENDING SECTION 34-602, IDAHO CODE, TO PROVIDE SPECIFICATIONS REGARDING A PUBLISHED SECOND NOTICE OF ELECTION; AMENDING SECTION 34-1401, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL ADMINISTER ALL ELECTIONS ON BEHALF OF ANY POLITICAL SUBDIVISION, TO SPECIFY POLITICAL SUBDIVISIONS EXEMPT FROM THE PROVISIONS OF THIS SECTION AND TO PROVIDE THAT SCHOOL DISTRICT AND HIGHWAY DISTRICT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 34-1404, IDAHO CODE, TO REVISE DECLARATION OF CANDIDACY PROVISIONS; AMENDING SECTION 34-1405, IDAHO CODE, TO REVISE NOTICE OF ELECTION FILING DEADLINE PROVISIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-1406, IDAHO CODE, TO PROVIDE SPECIFICATIONS FOR PUBLISHED NOTICES OF ELECTION BY THE COUNTY CLERK; AMENDING CHAPTER 14, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1411, IDAHO CODE, TO PROVIDE FOR PAYMENT OF ELECTION EXPENSES BY A COUNTY, WITH EXCEPTIONS; AMENDING SECTION 34-2301, IDAHO CODE, TO PROVIDE FOR RECOUNT OF BALLOTS FOR MUNICIPAL OFFICES; AMENDING SECTION 39-1324, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF HOSPITAL DISTRICTS SHALL BE CONDUCTED PURSUANT TO TITLE 34, IDAHO

CODE, TO PROVIDE DUTIES OF THE COUNTY BOARD OF COMMISSIONERS AND COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1325A, IDAHO CODE, TO REVISE DUTIES OF THE COUNTY CLERK AND COUNTY COMMISSIONERS, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-1330, IDAHO CODE, TO PROVIDE FOR BIENNIAL ELECTION OF HOSPITAL DISTRICT BOARD MEMBERS IN MAY, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1339, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PROPOSED INDEBTEDNESS TO BE INCURRED BY A HOSPITAL DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE; AMENDING SECTION 39-1340, IDAHO CODE, TO PROVIDE A DUTY OF THE COUNTY CLERK WITH REGARD TO NOTICES OF HOSPITAL DISTRICT ELECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1341, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND COUNTY COMMISSIONERS IN CONDUCTING HOSPITAL DISTRICT ELECTIONS FOR PROPOSED INDEBTEDNESS IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 40-206, IDAHO CODE, TO REVISE REQUIREMENTS FOR PUBLICATION OF NOTICE; AMENDING SECTION 40-819, IDAHO CODE, TO REVISE HIGHWAY DISTRICT ELECTIONS TO BE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE HIGHWAY DISTRICT COMMISSIONERS AND THE COUNTY CLERK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-1101, IDAHO CODE, TO PROVIDE THAT HIGHWAY DISTRICT ELECTIONS TO AUTHORIZE BONDING SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1304, IDAHO CODE, TO PROVIDE THE DATE ON WHICH HIGHWAY DISTRICT COMMISSIONERS SHALL TAKE OFFICE; AMENDING SECTION 40-1305, IDAHO CODE, TO PROVIDE FOR ELECTION OF HIGHWAY DISTRICT COMMISSIONERS ON THE THIRD TUESDAY OF MAY IN ODD-NUMBERED YEARS, TO DELETE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1305A, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATION OF HIGHWAY DISTRICT ELECTIONS BY THE COUNTY CLERK AND TO PROVIDE FOR SELECTION OF POLLING PLACES BY THE COUNTY COMMISSIONERS; REPEALING SECTION 40-1402, IDAHO CODE, RELATING TO THE COSTS OF HOLDING SPECIAL ELECTIONS; AMENDING SECTION 40-1409, IDAHO CODE, TO PROVIDE THAT ELECTIONS SHALL BE PAID BY THE COUNTY WITHOUT PROVISION FOR PRORATING THE EXPENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1416, IDAHO CODE, TO PROVIDE THAT COSTS OF ELECTIONS HELD TO APPROVE A HIGHWAY DISTRICT VEHICLE REGISTRATION FEE SHALL BE PAID BY THE COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-1418, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-1506, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OF ELECTION JUDGES BY THE COUNTY CLERK; AMENDING SECTION 40-1507, IDAHO CODE, TO CLARIFY PROCEDURE FOR NOTICE OF ELECTION

BY THE COUNTY CLERK AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1508, IDAHO CODE, TO CLARIFY PROCEDURE FOR HOLDING ELECTIONS OF CONSOLIDATION OF HIGHWAY DISTRICTS; AMENDING SECTION 40-1511, IDAHO CODE, TO CLARIFY PROCEDURE FOR COUNTING THE VOTES IN AN ELECTION OF CONSOLIDATION OF HIGHWAY DISTRICTS; AMENDING SECTION 40-1519, IDAHO CODE, TO PROVIDE THAT THE EXPENSES OF CONDUCTING AN ELECTION TO CONSOLIDATE HIGHWAY DISTRICTS SHALL BE PAID BY THE COUNTY WITHOUT PROVISION FOR PRORATING THE EXPENSE; AMENDING SECTION 40-1605, IDAHO CODE, TO REQUIRE THAT ELECTIONS BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1606, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN ELECTIONS TO DETACH TERRITORY OF A HIGHWAY DISTRICT; AMENDING SECTION 40-1607, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTIONS 40-1624 AND 40-1625, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO ANNEX CONTIGUOUS TERRITORY OF A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1626, IDAHO CODE, TO PROVIDE THAT ELECTION DATES TO ANNEX TERRITORY OF A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1630, IDAHO CODE, TO PROVIDE THAT COSTS OF THE ELECTION SHALL BE PAID BY THE COUNTY OR COUNTIES CONDUCTING THE ELECTION; AMENDING SECTION 40-1702, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY BOARD OF CANVASSERS IN ELECTIONS TO REORGANIZE A COUNTY HIGHWAY DISTRICT AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-1714, IDAHO CODE, TO PROVIDE THAT THE EXPENSE OF ELECTIONS HELD TO REORGANIZE A COUNTY HIGHWAY DISTRICT SHALL BE PAID BY THE COUNTY; AMENDING SECTION 40-1805, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO DISSOLVE A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1806, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY COMMISSIONERS IN ELECTIONS HELD TO DISSOLVE A HIGHWAY DISTRICT; AMENDING SECTION 40-1808, IDAHO CODE, TO PROVIDE THAT IN ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT THE COUNTY CLERK SHALL APPOINT ELECTION JUDGES AND CLERKS AND THAT ELECTIONS SHALL BE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 40-1809, IDAHO CODE, TO PROVIDE FOR COUNTING AND CANVASSING VOTES IN ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT; AMENDING SECTION 40-1810, IDAHO CODE, TO PROVIDE THAT EXPENSES OF ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT SHALL BE BORNE BY THE COUNTY; AMENDING SECTION 42-3211, IDAHO CODE, TO PROVIDE THE DATE OF ELECTIONS IN WATER AND SEWER DISTRICTS AND TO PROVIDE DUTIES OF THE COUNTY CLERK; REPEALING SECTION 50-211, IDAHO CODE, RELATING TO SUPERVISION OF MUNICIPAL ELECTIONS; AMENDING SECTION 50-402, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION

50-403, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK REGARDING MUNICIPAL ELECTIONS; REPEALING SECTIONS 50-404, 50-405, 50-406, 50-407, 50-408, 50-409, 50-410, 50-411 AND 50-412, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS AS CONDUCTED BY THE CITY CLERK; AMENDING SECTION 50-414, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE REGISTRATION PROVISIONS AND TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTIONS 50-415, 50-427 AND 50-428, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS; AMENDING SECTION 50-429, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE AUTHORIZED DATES FOR MUNICIPAL ELECTIONS BEGINNING JANUARY 1, 2011, TO PROVIDE THAT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTIONS 50-430 AND 50-431, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 50-432, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-435, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTIONS 50-436, 50-437, 50-438, 50-439, 50-440, 50-441, 50-442, 50-443, 50-445, 50-446, 50-447, 50-448, 50-449, 50-450, 50-451, 50-452, 50-453, 50-454, 50-455, 50-456, 50-457, 50-458, 50-459, 50-460, 50-461, 50-462, 50-463, 50-464, 50-465 AND 50-466, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS AS CONDUCTED BY THE CITY CLERK; AMENDING SECTION 50-467, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-468, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTIONS 50-469 AND 50-470, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 50-471, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 50-472, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 50-473, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 50-474, IDAHO CODE, RELATING TO VOTING BY MACHINE OR VOTE TALLY SYSTEM IN MUNICIPAL ELECTIONS; AMENDING SECTION 50-475, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR APPLICATION OF ELECTION LAW VIOLATIONS TO ALL MUNICIPAL ELECTIONS; AMENDING SECTION 50-477, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 50-612, IDAHO CODE, TO PROVIDE THAT RUNOFF MUNICIPAL MAYORAL ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 50-707B, IDAHO CODE, TO PROVIDE THAT RUNOFF MUNICIPAL COUNCIL SEAT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 50-803, IDAHO CODE, TO PROVIDE AUTHORIZED DATES FOR HOLDING A MUNICIPAL ELECTION TO ADOPT THE COUNCIL-MANAGER PLAN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-806, IDAHO CODE, TO PROVIDE THAT CERTAIN ELECTIONS SHALL BE HELD AT THE SAME ELECTION, TO PROVIDE PROCEDURE UPON FAILURE OF A PROPOSITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-1026, IDAHO

CODE, TO PROVIDE THAT MUNICIPAL ELECTIONS TO AUTHORIZE ISSUANCE OF COUPON BONDS SHALL BE CONDUCTED BY THE COUNTY CLERK ON AUTHORIZED DATES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-1035, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN CERTAIN MUNICIPAL ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2104, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CONSOLIDATE CITIES SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE; AMENDING SECTION 50-2105, IDAHO CODE, TO REVISE PROVISIONS FOR CONSOLIDATION ELECTIONS; AMENDING SECTION 50-2106, IDAHO CODE, TO PROVIDE FOR CERTIFICATION OF A MUNICIPAL CONSOLIDATION ELECTION BY THE COUNTY CLERK; AMENDING SECTION 50-2107, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF OFFICERS IN A NEWLY CONSOLIDATED CITY SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE; AMENDING SECTION 50-2114, IDAHO CODE, TO PROVIDE THAT EXPENSES OF A MUNICIPAL CONSOLIDATION ELECTION SHALL BE PAID BY THE COUNTY; AMENDING SECTION 50-2201, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2202, IDAHO CODE, TO REVISE PROCEDURES; AMENDING SECTION 50-2203, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES IN ELECTIONS TO DISINCORPORATE A CITY; AMENDING SECTION 50-2204, IDAHO CODE, TO PROVIDE A DUTY OF THE COUNTY BOARD OF COMMISSIONERS IN AN ELECTION TO DISINCORPORATE A CITY; AMENDING SECTION 50-2302, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO ORGANIZE A CITY SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2303, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN AN ELECTION TO ORGANIZE A CITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2308, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 63-802C, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CREATE A NEW TAXING DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND TO PROVIDE FOR POSTING OF A BOND TO COVER COSTS OF THE ELECTION; AMENDING SECTION 63-1309, IDAHO CODE, TO PROVIDE THAT THE INTERVAL BETWEEN CERTAIN TYPES OF ELECTIONS IN WHICH THE QUESTION FIRST FAILED AND A SUBSEQUENT ELECTION ON THE SAME OR SIMILAR QUESTION SHALL BE FIVE MONTHS INSTEAD OF SIX MONTHS, TO PROVIDE THAT THE DATE OF SUCH ELECTION SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-4103, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY COMMISSIONERS AND THE COUNTY CLERK IN ELECTIONS TO DISSOLVE A SPECIAL DISTRICT AND TO DELETE CODE REFERENCES; AMENDING SECTION 67-4907, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY BOARD OF CANVASSERS IN AUDITORIUM DISTRICT ELECTIONS; AMENDING SECTION 67-4911, IDAHO CODE, TO PROVIDE THAT THE BIENNIAL ELECTIONS OF AN AUDITORIUM DISTRICT SHALL BE HELD IN ODD-NUMBERED YEARS, TO PROVIDE DUTIES OF

THE COUNTY CLERK AND THE BOARD OF COUNTY COMMISSIONERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4922, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF AUDITORIUM DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-4923, IDAHO CODE, TO PROVIDE THAT NOTICE OF AN AUDITORIUM DISTRICT ELECTION TO AUTHORIZE A LEVY SHALL BE CONDUCTED AS PRESCRIBED IN CHAPTER 14, TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-4924, IDAHO CODE, TO PROVIDE FOR CONDUCTING THE ELECTION AND CANVASSING THE RETURNS OF AN AUDITORIUM DISTRICT ELECTION; AMENDING SECTION 67-4929, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO INCLUDE OR EXCLUDE PROPERTY WITHIN AN AUDITORIUM DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4930, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO DISSOLVE AN AUDITORIUM DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 70-1210, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PORT DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO DELETE OBSOLETE PROVISIONS; AMENDING SECTION 70-1215, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PORT DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 70-1217, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY COMMISSIONERS AND THE COUNTY CLERK IN ELECTIONS OF PORT DISTRICTS; AMENDING SECTION 70-1219, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES IN ELECTIONS OF PORT DISTRICTS; AMENDING SECTION 70-1220, IDAHO CODE, TO PROVIDE FOR PAYMENT OF EXPENSES IN PORT DISTRICT ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 69
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 63-316, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE MONETARY DISTRIBUTIONS TO COUNTIES FROM SALES TAX REVENUES TO DEFRAY EXPENSES OF COUNTIES IN CONDUCTING ELECTIONS, TO REQUIRE COUNTIES TO ESTABLISH A SPECIAL ELECTION FUND, TO SPECIFY USE OF REVENUES IN THE FUND, TO REVISE REVENUE SHARING PERCENTAGES GOING TO CITIES AND COUNTIES AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-3641, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; PROVIDING AN EFFECTIVE DATE AND TO PROVIDE FOR A REPORT TO BE SUBMITTED TO THE LEGISLATURE IN 2013.

H 65, H 66, H 67, H 68, and H 69 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1012, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1041 and S 1044, by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 28, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 20 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kren to open debate.

The question being, "Shall **H 20** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Barrett, Schaefer. Total – 2.

Absent and excused – Cronin, Durst, Palmer, Roberts, Ruchti. Total – 5.
Total – 70.

Whereupon the Speaker declared that **H 20** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 23 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall **H 23** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Boe, Burgoyne, Chadderdon, Chavez, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, King, Loertscher, Marriott, Nonini, Pence, Ringo, Sayler, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Stevenson, Takasugi, Trail, Wills, Wood(35). Total – 36.

NAYS – Bell, Block, Bolz, Boyle, Chew, Clark, Gibbs, Hartgen, Jarvis, Killen, Kren, Labrador, Lake, Luker, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Rusche, Shirley, Simpson, Smith(24), Thayne, Thompson, Wood(27), Mr. Speaker. Total – 30.

Absent and excused – Cronin, Durst, Roberts, Ruchti. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 23** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 35 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 35** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Cronin, Durst, Roberts, Ruchti. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 35** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 36 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall **H 36** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Clark, Cronin, Durst, Roberts, Ruchti. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 36** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 22 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mathews to open debate.

The question being, "Shall **H 22** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart,

Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Clark, Cronin, Durst, Kren, Roberts, Ruchti. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 22** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, February 6, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:30 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 6, 2009

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 58 members present.

Absent and excused – Anderson, Henderson, Jaquet, Labrador, Lake, Loertscher, Roberts, Ruchti, Schaefer, Shepherd(02), Smith(24), Takasugi. Total – 12.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Madeleine Fehlman, Page.

Approval of Journal

February 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fifth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 5, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1016** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1016** and, when so signed, ordered it returned to the Senate.

February 5, 2009

Mr. Speaker:

I transmit herewith **S 1015**, **S 1003**, **S 1004**, **S 1007**, **S 1018**, and **S 1019** which have passed the Senate.

WOOD, Secretary

S 1015, **S 1003**, **S 1004**, **S 1007**, **S 1018**, and **S 1019** were filed for first reading.

Report of Standing Committees

February 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 10**, **HCR 11**, **H 65**, **H 66**, **H 67**, **H 68**, and **H 69**.

CLARK, Chairman

HCR 10, **H 66**, and **H 67** were filed for second reading.

HCR 11, **H 65**, **H 68**, and **H 69** were referred to the State Affairs Committee.

February 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 2**, **HCR 3**, **HCR 4**, and **HCR 5**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 2**, **HCR 3**, **HCR 4**, and **HCR 5** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 5, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 18** and **H 19** and recommend that they do pass.

NONINI, Chairman

H 18 and **H 19** were filed for second reading.

February 5, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 31** and recommend that it do pass.

STEVENSON, Chairman

H 31 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 70 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO THE SEXUAL OFFENDER REGISTRATION ACT; AMENDING SECTION 18-8310, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE RELEASE OF A PERSON FROM REGISTRATION REQUIREMENTS.

HOUSE BILL NO. 71 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO CRIMINAL HISTORY RECORDS AND CRIME INFORMATION; AMENDING SECTION 19-2604, IDAHO CODE, TO PROVIDE THAT THE DISCHARGE OF A DEFENDANT SHALL NOT RESULT IN THE

EXPUNGEMENT OF THE DEFENDANT'S CRIMINAL HISTORY RECORD.

**HOUSE BILL NO. 72
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE**

AN ACT

RELATING TO DISPOSITION OF FINES, FORFEITURES, AND COSTS; REPEALING SECTION 19-4701, IDAHO CODE, RELATING TO FINES, FORFEITURES, AND COSTS, DISPOSITION, AND SATISFACTION OF JUDGMENT.

**HOUSE BILL NO. 73
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE**

AN ACT

RELATING TO PROSECUTING ATTORNEYS; AMENDING SECTION 31-2606, IDAHO CODE, TO PROHIBIT DIVERSION OF PUBLIC MONEYS IN SETTLING PROSECUTIONS, TO UPDATE LANGUAGE AND TO PROVIDE FOR PENALTIES.

**HOUSE BILL NO. 74
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO THE MANAGED CARE REFORM ACT; AMENDING SECTION 41-3902, IDAHO CODE, TO PROVIDE FURTHER LEGISLATIVE INTENT; AMENDING SECTION 41-3927, IDAHO CODE, TO PROVIDE CERTAIN CONTRACTUAL OBLIGATIONS OF A MANAGED CARE ORGANIZATION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 75
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO LIFE SETTLEMENTS; AMENDING CHAPTER 19, TITLE 41, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 41-1950 THROUGH 41-1965, IDAHO CODE, TO PROVIDE A SHORT TITLE AND SCOPE, TO DEFINE TERMS, TO REQUIRE LICENSURE, TO MANDATE THE FILING OF CONTRACTS AND DISCLOSURE STATEMENTS, TO DESCRIBE REPORTING REQUIREMENTS AND TO PROTECT PRIVACY, TO PROVIDE FOR THE EXAMINATION OF LICENSEES, TO PROVIDE FOR RECORDKEEPING REQUIREMENTS, TO SPECIFY DISCLOSURES TO BE MADE TO THE OWNER UPON APPLICATION, TO SPECIFY REQUIRED DISCLOSURES, TO REQUIRE CERTAIN NOTICES, TO SET FORTH GENERAL RULES GOVERNING THE TRANSACTION OF LIFE SETTLEMENTS, TO DESCRIBE PERMISSIBLE LIFE SETTLEMENTS AND RELATED DOCUMENTATION REQUIREMENTS, TO PROHIBIT CERTAIN PRACTICES AND CONFLICTS OF INTEREST, TO PROHIBIT MISLEADING ADVERTISING, TO PROVIDE PENALTIES, TO AUTHORIZE RULEMAKING AND TO PROVIDE FOR SEVERABILITY.

**HOUSE BILL NO. 76
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1316A, IDAHO CODE, TO PROVIDE THAT CERTAIN EMPLOYMENT RELATING TO THE SELLING OR SOLICITING OF SALE OF CONSUMER PRODUCTS, INCLUDING SERVICES AND

OTHER INTANGIBLES, SHALL BE CONSIDERED EXEMPT EMPLOYMENT AND TO SPECIFY CONDITIONS.

H 70, H 71, H 72, H 73, H 74, H 75, and H 76 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1015, by Schroeder, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1003, S 1004, and S 1007, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1018 and S 1019, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 9, by Education Committee, was read the second time by title and filed for third reading.

H 61, by Appropriations Committee, was read the second time by title and filed for third reading.

H 64, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 34 and H 37, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 9, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 28** retain its place on the Third Reading Calendar until Monday, February 9, 2009. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 9, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 9:14 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

—————
TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 9, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Collins. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Lee Gray, Page.

Approval of Journal

February 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 6, 2009

Mr. Speaker:

I return herewith enrolled **HCR 2**, **HCR 3**, **HCR 4**, and **HCR 5** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 2**, **HCR 3**, **HCR 4**, and **HCR 5** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

February 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 70**, **H 71**, **H 72**, **H 73**, **H 74**, **H 75**, and **H 76**.

CLARK, Chairman

H 70, **H 71**, **H 72**, and **H 73** were referred to the Judiciary, Rules, and Administration Committee.

H 74 and **H 75** were referred to the Business Committee.

H 76 was referred to the Commerce and Human Resources Committee.

February 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 6** to the Secretary of State at 9:50 a.m., as of this date, February 6, 2009.

CLARK, Chairman

February 6, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 30** and recommend that it do pass.

LAKE, Chairman

H 30 was filed for second reading.

February 9, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **SCR 102** and recommend that it do pass.

LOERTSCHER, Chairman

SCR 102 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 12 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING THE FINDINGS OF THE LEGISLATURE AND SUPPORTING THE PEOPLE OF LATAH COUNTY AND THE CITY OF MOSCOW IN BRINGING THE COMMUNITY TOGETHER THROUGH THE MOSCOW COMMUNITY WALK, ENDORSING THE ANNUAL CELEBRATION OF THE WALK, AND ENCOURAGING SPONSORSHIP OF SIMILAR EVENTS IN OTHER COMMUNITIES OF OUR GREAT STATE OF IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the 2007 Moscow CommUNITY Walk Proclamation issued by Idaho Governor C. L. "Butch" Otter recognized the importance of the Moscow CommUNITY Walk for "the positive impact they can have on our State";

WHEREAS, the 2007 Moscow CommUNITY Walk Proclamation, issued by City of Moscow Mayor Nancy Chaney, stated the purpose of the CommUNITY Walk: "We choose to walk together in a symbolic pilgrimage of our common humanity in the spirit of peace and harmony";

WHEREAS, according to S. "Ghazi" Ghazanfar, Professor Emeritus (2002), the founder of the Moscow CommUNITY Walk, the event "inspires each of us to develop and promote meaningful connections with each other, to gather in the spirit of mutual respect and acceptance, transcending our differences and rising to the unifying inclusiveness of our pluralism";

WHEREAS, Tom Trail, a member of the Moscow CommUNITY Walk's original founding committee, believes, "The Walk brings together a cross section of citizens and allows them for at least one moment and one day to stand together in friendship and to celebrate our spirit of community."

WHEREAS, in addition to the Walk, the event has also included a free potluck-community meal, a student essay contest and various other celebratory activities for the participants;

WHEREAS, the Moscow CommUNITY Walk has enjoyed the support of several prominent sponsors, including: the City of Moscow, the University of Idaho (Office of the President, the Associated Students of the University of Idaho and the Multicultural Affairs Office), the Latah County Human Rights Task Force, the Moscow Interfaith Association, and various other faith groups as well as business and civic organizations.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature supports the people of Latah County and the City of Moscow in bringing the community together through the Moscow CommUNITY Walk, endorses the annual celebration of the Walk, and encourages sponsorship of similar events in other communities of our Great State of Idaho.

HOUSE CONCURRENT RESOLUTION NO. 13
BY RESOURCES AND CONSERVATION COMMITTEE
 A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF NATURAL RESOURCE ISSUES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the First Regular Session of the Fifty-ninth Idaho Legislature adopted House Concurrent Resolution No. 12 which authorized the appointment of a committee to undertake and complete a two-year study of natural resource issues, including issues relating to water, throughout the state of Idaho; and

WHEREAS, the committee's official term expired on November 30, 2008, and numerous natural resource-related issues continue to pose concerns for the future of Idaho and the quality of life our citizens enjoy; and

WHEREAS, issues of continued concern include, but are not limited to, stabilization of the water distribution system, the status of aquifers throughout the state, management of wolves in Idaho, and the study of the implementation of the Comprehensive Aquifer Management Plan for the Eastern Snake Plain Aquifer.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of natural resource issues of importance to the state of Idaho. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the Legislative Council is authorized to also appoint ad hoc legislative members to serve on the committee.

BE IT FURTHER RESOLVED that the cochairmen of the committee are authorized to appoint advisors with technical expertise in the water supply arena and are expected to receive input from stakeholders in the water rights system of Idaho to attempt to stabilize the water delivery system in this state.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations and proposed legislation.

BE IT FURTHER RESOLVED that the committee shall make a progress report to the Second Regular Session of the

Sixtieth Idaho Legislature and shall make a report detailing its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-first Idaho Legislature.

HCR 12 and HCR 13 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
 of Bills and Joint Resolutions**

HOUSE BILL NO. 77
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO TUITION FOR PROFESSIONAL - TECHNICAL STUDENTS; AMENDING CHAPTER 22, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2213, IDAHO CODE, TO PROVIDE FOR USE OF CERTAIN MONEYS FOR TUITION FOR PROFESSIONAL-TECHNICAL STUDENTS AND TO PROVIDE FOR A LIST OF ENROLLEES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 78
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO EDUCATION AND DISTRICT TRUSTEES; AMENDING SECTION 33-501, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OF A PERSON AT-LARGE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 33-504, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OF A PERSON AT-LARGE, AND TO PROVIDE THAT CERTAIN APPOINTMENTS SHALL BE MADE BY THE BOARD OF COUNTY COMMISSIONERS AFTER A CERTAIN PERIOD.

HOUSE BILL NO. 79
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO CHARTER SCHOOL ADMISSIONS; AMENDING SECTION 33-5205, IDAHO CODE, TO PROVIDE CHARTER SCHOOLS WITH THE OPTION OF AWARDING AN ENHANCED ENROLLMENT OPPORTUNITY TO THE CHILDREN OF CERTAIN EMPLOYEES AND CERTAIN RETURNING STUDENTS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 80
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD WELFARE PROGRAM FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE COMMUNITY DEVELOPMENTAL DISABILITY SERVICES PROGRAM FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAL ASSISTANCE SERVICES DIVISION FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO

THE DEPARTMENT OF HEALTH AND WELFARE FOR THE COMMUNITY HOSPITALIZATION PROGRAM FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE EMERGENCY MEDICAL SERVICES PROGRAM FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE EMERGENCY MEDICAL SERVICES PROGRAM FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 81
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO PUBLIC ASSISTANCE AND WELFARE; AMENDING SECTION 56-102, IDAHO CODE, TO REMOVE AN EXCEPTION FOR THE IDAHO STATE VETERANS HOMES, TO PROVIDE PRINCIPLES TO APPLY TO THE REIMBURSEMENT OF THE IDAHO STATE VETERANS HOMES, TO REMOVE A PROVISION FOR PAYMENT TO SKILLED CARE FACILITIES, TO PROVIDE AN ADJUSTMENT TO SKILLED CARE FACILITY PROSPECTIVE RATES WITH AN EXCEPTION, TO PROVIDE A MAXIMUM INCENTIVE PAYMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-113, IDAHO CODE, TO PROVIDE FOR THE SAME RATE TO BE PAID TO INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED FOR A CERTAIN PERIOD OF TIME AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-136, IDAHO CODE, TO PROVIDE FOR THE SAME RATE TO BE PAID TO MEDICAID-COVERED PHYSICIAN AND DENTIST SERVICES FOR A CERTAIN PERIOD OF TIME, TO REVISE THE IDENTITY OF AN INDEX PUBLISHER AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-255, IDAHO CODE, TO PROVIDE NONEMERGENCY MEDICAL TRANSPORTATION BENEFITS TO CERTAIN PERSONS AND TO REMOVE NONEMERGENCY MEDICAL TRANSPORTATION BENEFITS FOR CERTAIN PERSONS; AMENDING SECTION 56-1402, IDAHO CODE, TO DEFINE NEW TERMS; AMENDING SECTION 56-1404, IDAHO CODE, TO PROVIDE FOR THE CALCULATION OF AN UPPER PAYMENT LIMIT ASSESSMENT RATE AND THE METHODOLOGY THEREFOR, TO PROVIDE FOR THE CALCULATION OF A DISPROPORTIONATE SHARE ASSESSMENT RATE FOR CERTAIN HOSPITALS AND THE METHODOLOGY THEREFOR, TO PROVIDE A LIMIT ON ASSESSMENTS FOR CERTAIN HOSPITALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1406, IDAHO CODE, TO REVISE TIMING FOR MAKING CERTAIN PAYMENTS AND TO PROVIDE A CORRECT CODE REFERENCE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 82
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE USE OF THE INTERNET TO ANNOY, TERRIFY, THREATEN, INTIMIDATE, HARASS OR OFFEND; AMENDING SECTION 18-6710, IDAHO CODE, TO PROVIDE FOR THE CRIME OF USING EMAILS,

TEXT MESSAGES OR POSTS ON THE INTERNET TO ANNOY, TERRIFY, THREATEN, INTIMIDATE, HARASS OR OFFEND, TO PROVIDE FOR PRIMA FACIE EVIDENCE, TO PROVIDE APPLICATION AND TO PROVIDE WHEN THE OFFENSE IS DEEMED TO HAVE BEEN COMMITTED IN THE STATE OF IDAHO.

HOUSE BILL NO. 83
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXATION OF PERSONAL PROPERTY; AMENDING SECTION 63-602KK, IDAHO CODE, TO REVISE THE FISCAL YEAR THAT IS USED TO CALCULATE WHEN THE EXEMPTION TAKES EFFECT AND TO PROVIDE ADDITIONAL PROCEDURES FOR APPLICATION FOR THE EXEMPTION AND RECOVERY OF THE EXEMPTION THAT WAS IMPROPERLY CLAIMED OR APPROVED; AMENDING SECTION 63-802, IDAHO CODE, TO CORRECT THE CALCULATION OF THE THREE PERCENT PROPERTY TAX BUDGET LIMITATION RELATING TO REIMBURSEMENT MONEYS FOR EXEMPT PERSONAL PROPERTY; AMENDING SECTION 63-803, IDAHO CODE, TO CORRECT THE DEFINITION OF "TAXABLE VALUE" OF PROPERTY ON THE BASE ASSESSMENT ROLL OF A REVENUE ALLOCATION AREA; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 84
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL AGE; AMENDING SECTION 33-201, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHOOL AGE FOR PURPOSES OF ENROLLMENT IN FIRST GRADE AND TO MAKE A TECHNICAL CORRECTION.

H 77, H 78, H 79, H 80, H 81, H 82, H 83, and H 84 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 10, by State Affairs Committee, was read the second time by title and filed for third reading.

H 66 and H 67, by Appropriations Committee, were read the second time by title and filed for third reading.

H 18 and H 19, by Education Committee, were read the second time by title and filed for third reading.

H 31, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 28 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Smith(30) to open debate.

The question being, "Shall **H 28** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 62.

NAYS – Barrett, Boyle, Hagedorn, Harwood, Palmer, Wood(35). Total – 6.

Absent and excused – Bedke, Collins. Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 28** passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 9 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **HCR 9** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Collins. Total – 1.
Total – 70.

Whereupon the Speaker declared **HCR 9** adopted and ordered the resolution transmitted to the Senate.

H 61 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 61** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Collins. Total – 1.
Total – 70.

Whereupon the Speaker declared that **H 61** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 64** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 34 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall **H 34** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Collins. Total – 1.
Total – 70.

Whereupon the Speaker declared that **H 34** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 37 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 37** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Collins. Total – 1.
Total – 70.

Whereupon the Speaker declared that **H 37** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 9 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Ringo to open debate.

The question being, "Shall **H 9** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Black, Collins. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 9** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 10, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:40 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 10, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Kren. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bryson Lind, Page.

Approval of Journal

February 10, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-ninth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

February 10, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 12**, **HCR 13**, **H 77**, **H 78**, **H 79**, **H 80**, **H 81**, **H 82**, **H 83**, and **H 84**.

CLARK, Chairman

HCR 12 was referred to the State Affairs Committee.

HCR 13 was referred to the Environment, Energy, and Technology Committee.

H 77, **H 78**, **H 79**, and **H 84** were referred to the Education Committee.

H 80 was filed for second reading.

H 81 was referred to the Health and Welfare Committee.

H 82 was referred to the Judiciary, Rules, and Administration Committee.

H 83 was referred to the Revenue and Taxation Committee.

February 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 2**, **HCR 3**, **HCR 4**, and **HCR 5** to the Secretary of State at 1:56 p.m., as of this date, February 9, 2009.

CLARK, Chairman

February 9, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 1** and recommend that it do pass.

BLACK, Chairman

H 1 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE RESOLUTION NO. 2 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A HOUSE RESOLUTION
STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND PROVIDING FOR THE ADDITION OF A NEW RULE 78 TO THE RULES OF THE HOUSE OF REPRESENTATIVES.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable to add a new Rule 78 to the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixtieth Idaho Legislature, that the Rules of the House of Representatives shall be amended by the addition thereto of a new Rule 78 to read as follows:

RULE 78

A proclamation is an instrument, the subject matter of which does not constitute a statute, which after being introduced in the proper committee shall be sent immediately to the floor for action without being referred back to committee. A proclamation may be passed by voice vote and, if appropriate, does not need to be sent to the other house for passage. An example of a proclamation shall include but not be limited to a vote of thanks, praise or honor for a special achievement, accomplishment, anniversary or birthday. For purposes of the calendar of the House of Representatives a proclamation shall be considered a petition.

HOUSE CONCURRENT RESOLUTION NO. 14 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 2 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the House of Representatives and the Senate deem it necessary and desirable to amend Joint Rule 2 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Joint Rule 2 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 2

Definitions.—As used in these Joint Rules, unless the context clearly requires otherwise, the following terms shall have the meanings hereinafter respectively ascribed to them.

Resolution.—This term denotes the adoption of a motion, the subject matter of which would not properly constitute a statute. **EXAMPLES:** An alteration of the rules, a vote of thanks, a vote of censure, etc.

Concurrent Resolution.—This term denotes a resolution that originates in one house of the legislature where it is passed and is then sent to the other house for passage. It is signed by the presiding officers of both houses.

Joint Resolution.—A joint resolution is a resolution passed by both houses of the legislature proposing an amendment to the constitution of the state of Idaho.

Proclamation.—A proclamation is an instrument, the subject matter of which does not constitute a statute, which after being introduced in the proper committee shall be sent immediately to the floor for action without being referred back to committee. A proclamation may be passed by voice vote. If it is appropriate to have a proclamation is passed by approved by both the Senate and the House of Representatives, after the house of origin passes the proclamation, it shall be sent to the other house for passage where it shall be placed on the floor for action without being referred to a committee. An example of a proclamation shall include but not be limited to a vote of thanks, praise or honor for a special achievement, accomplishment, anniversary or birthday. For purposes of the calendars of the Senate and House of Representatives a proclamation shall be considered a petition.

Bill.—This term denotes the draft of a law or amendment thereto submitted to the legislature for its approval or rejection. Bills may be originated in either house and may be amended or rejected in the other, except that bills for raising revenue must originate in the House of Representatives and a bill originating in one house and amended in the other may not again be amended in the house of origin except pursuant to report of a conference committee.

The enacting clause of every bill must read "Be It Enacted by the Legislature of the State of Idaho." All bills must be signed by the presiding officers of the respective houses. Every act or joint resolution shall be plainly worded avoiding as far as practicable the use of technical terms.

Joint Memorial.—A petition or representation made by the House of Representatives and concurred in by the Senate, or vice versa, addressed to whoever can effectuate the request of the memorial.

Engrossed Bill.—An amended bill with the amendments correctly drafted and before the house of origin for further action.

Enrolled Bill.—A bill that has passed both houses and awaits only the signatures of the presiding officers thereof.

HOUSE CONCURRENT RESOLUTION NO. 15 BY BUSINESS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE FEASIBILITY AND

EXPENSE OF PROVIDING SMALL BUSINESSES BETTER ACCESS TO AFFORDABLE HEALTH INSURANCE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, access to affordable health care and affordable health insurance is a huge issue facing Idaho small businesses; and

WHEREAS, small businesses find traditional underwriting practices make it difficult to provide affordable health insurance for their employees; and

WHEREAS, small businesses in Idaho find it more difficult to provide affordable health insurance to their workers than do larger businesses; and

WHEREAS, it would be desirable to have more Idaho small businesses provide health insurance to their workers.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the feasibility and expense of providing small businesses easier and cheaper alternatives for providing their employees with affordable health insurance. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixtieth Idaho Legislature.

HR 2, HCR 14, and HCR 15 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 85 BY APPROPRIATIONS COMMITTEE AN ACT

TRANSFERRING MONEYS FROM THE IDAHO MILLENNIUM FUND TO THE IDAHO MILLENNIUM INCOME FUND FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 86 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 87
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO VULNERABLE ADULTS; AMENDING SECTION 18-1505, IDAHO CODE, TO REVISE A DEFINITION.

HOUSE BILL NO. 88
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO MORTICIANS; AMENDING SECTION 54-1112, IDAHO CODE, TO REVISE REQUIREMENTS RELATED TO RESIDENT TRAINEE LICENSURE.

HOUSE BILL NO. 89
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO BARBERS; AMENDING SECTION 54-504, IDAHO CODE, TO PROVIDE AN ADDITIONAL EXCEPTION TO LICENSURE REQUIREMENTS AND TO REVISE CERTAIN OTHER EXCEPTIONS.

HOUSE BILL NO. 90
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO LIQUEFIED PETROLEUM GAS PUBLIC SAFETY; AMENDING SECTION 54-5308, IDAHO CODE, TO PROVIDE A FEE CAP FOR EACH APPLICATION, ORIGINAL LICENSE AND ANNUAL RENEWAL OF ANY FACILITY LICENSE.

HOUSE BILL NO. 91
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO GEOLOGISTS; AMENDING SECTION 54-2804, IDAHO CODE, TO REVISE A PROVISION RELATING TO QUALIFICATIONS FOR BOARD MEMBERSHIP; AMENDING SECTION 54-2808, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE POWERS OF THE BOARD AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-2810, IDAHO CODE, RELATING TO RECORD AND REGISTER KEEPING; AMENDING SECTION 54-2818, IDAHO CODE, TO CLARIFY CERTAIN CONTRACT EXCEPTIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-2819, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DISCIPLINARY GROUNDS AND PROCEEDINGS AND TO PROVIDE AN ADMINISTRATIVE FINE FOR CERTAIN VIOLATIONS; AND AMENDING SECTION 54-2821, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 92
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO ARCHITECTS; AMENDING SECTION 54-302, IDAHO CODE, TO REVISE EXAMINATION AND LICENSURE REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

H 85, H 86, H 87, H 88, H 89, H 90, H 91, and H 92 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 30, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

SCR 102, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 64 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 64** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Harwood. Total – 1.

Absent and excused – Kren. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 64** passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 10 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall **HCR 10** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Kren. Total – 1.

Total – 70.

Whereupon the Speaker declared **HCR 10** adopted and ordered the resolution transmitted to the Senate.

H 66 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Ringo to open debate.

The question being, "Shall **H 66** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Kren. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 66** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 67 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 67** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Kren. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 67** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 18 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall **H 18** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Kren, Rusche. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 18** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 19 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson and Mr. Durst to open debate.

The question being, "Shall **H 19** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Clark, Hart, Harwood, Luker, Marriott, Smith(24). Total – 6.

Absent and excused – Kren. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 19** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 31 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hagedorn to open debate.

The question being, "Shall **H 31** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Harwood, Shepherd(02). Total – 2.

Absent and excused – Kren. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 31** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 11, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at
11:39 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 11, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused – Jarvis, McGeachin, Patrick, Takasugi.

Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Mark Bruzas, Page.

Approval of Journal

February 11, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirtieth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 10, 2009

Mr. Speaker:

I transmit herewith **S 1043**, **S 1047**, and **S 1048** which have passed the Senate.

WOOD, Secretary

S 1043, **S 1047**, and **S 1048** were filed for first reading.

Report of Standing Committees

February 11, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HR 2**, **HCR 14**, **HCR 15**, **H 85**, **H 86**, **H 87**, **H 88**, **H 89**, **H 90**, **H 91**, and **H 92**.

CLARK, Chairman

HR 2, **HCR 14**, and **H 87** were referred to the Judiciary, Rules, and Administration Committee.

HCR 15, **H 88**, **H 89**, **H 90**, **H 91**, and **H 92** were referred to the Business Committee.

H 85 and **H 86** were filed for second reading.

February 10, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1009** and recommend that it do pass.

WOOD, Chairman

S 1009 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 16 BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF ENERGY, ENVIRONMENT AND TECHNOLOGY AND TO MONITOR THE INTEGRATED STATE ENERGY PLAN AND OTHER ISSUES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, for the past twelve years, the Legislature has adopted concurrent resolutions that authorized the Legislative Council to appoint a committee to undertake and complete a study of energy, environment and technology related issues from both the statewide perspective and the national perspective and to submit a final report to the Idaho Legislature; and

WHEREAS, in 2006 the Legislature felt the state of Idaho needed to have an integrated state energy plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho and the products produced in this state; and

WHEREAS, Idaho has substantial power needs in the near future, and the goal of the 2007 Integrated State Energy Plan is to ensure that those needs will be met; and

WHEREAS, it is the goal of the 2007 Integrated State Energy Plan to maintain the health, safety and welfare of Idaho's citizens, the quality and financial security of existing agricultural businesses and industries, the economic growth of the state of Idaho, and the environmental quality and natural resources of this state; and

WHEREAS, it is the goal that the 2007 Integrated State Energy Plan be a living, vibrant document; and

WHEREAS, the committee met in 2007 and 2008 and monitored the 2007 Integrated State Energy Plan, followed the fluctuation in petroleum prices and heard testimony regarding issues facing regulated utilities, municipal utilities and cooperatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the 2007 Integrated State Energy Plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho and the products produced in this state, and make any recommendations for necessary changes in both state law and the plan regarding energy in the state and to monitor other energy, environment and technology related issues. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the

committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall make a progress report to the Second Regular Session of the Sixtieth Idaho Legislature and report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-first Idaho Legislature.

HOUSE CONCURRENT RESOLUTION NO. 17
BY TRANSPORTATION AND DEFENSE COMMITTEE
 A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULEMAKING DOCKET OF THE TRANSPORTATION DEPARTMENT RELATING TO RULES GOVERNING REGISTRATION AND PERMIT FEE ADMINISTRATION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rulemaking docket of the Transportation Department relating to Rules Governing Registration and Permit Fee Administration is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 39.02.22, Rules Governing Registration and Permit Fee Administration, Rules of the Transportation Department, adopted as a pending rule under Docket Number 39-0222-0801, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

HCR 16 and **HCR 17** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
 of Bills and Joint Resolutions**

HOUSE BILL NO. 93
BY TRANSPORTATION AND DEFENSE COMMITTEE
 AN ACT

RELATING TO MOTOR VEHICLE LEASE AND RENTAL TAX; AMENDING SECTION 63-3613, IDAHO CODE, TO REVISE THE DEFINITION OF "SALES PRICE"; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR A MOTOR VEHICLE LEASE AND RENTAL TAX, TO PROVIDE FOR CERTAIN EXEMPTIONS, TO PROVIDE FOR DEPOSIT OF MONEYS, TO PROVIDE FOR REGISTRATION, RETURNS AND PAYMENTS, TO PROVIDE FOR CERTAIN TAXES AS STATE MONEYS, TO PROVIDE THAT THE TAX COMMISSION SHALL ENFORCE PROVISIONS OF THE MOTOR VEHICLE LEASE AND RENTAL TAX AND TO PROVIDE FOR RULES, TO PROVIDE

FOR REFUNDS, LIMITATIONS AND INTEREST, TO PROVIDE FOR DEFICIENCY DETERMINATIONS, TO PROVIDE FOR CERTAIN INTEREST, TO PROVIDE FOR A PERIOD OF LIMITATION, TO PROVIDE FOR ADDITIONS AND PENALTIES, TO PROVIDE FOR AUTHORITY OF THE TAX COMMISSION TO ENTER INTO CERTAIN AGREEMENTS AND TO PROVIDE FOR COLLECTION AND ENFORCEMENT.

HOUSE BILL NO. 94
BY TRANSPORTATION AND DEFENSE COMMITTEE
 AN ACT

RELATING TO TRANSPORTATION AND MOTOR FUEL TAXES; AMENDING SECTION 36-104, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-109, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE THE APPORTIONMENT FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701A, IDAHO CODE, TO PROVIDE FOR THE IDAHO HIGHWAY, BRIDGE AND RAILROAD CROSSING FUND, TO PROVIDE FOR MONEYS CREDITED TO THE FUND, TO PROVIDE FOR INTEREST, TO PROVIDE FOR CONTINUOUS APPROPRIATION, TO PROVIDE FOR APPORTIONMENT OF MONEYS FROM THE FUND AND TO PROVIDE FOR A REPORT; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX UPON MOTOR FUEL AND TO PROVIDE EFFECTIVE DATES; AND AMENDING SECTION 63-2424, IDAHO CODE, TO REVISE CERTAIN FEES RELATING TO VEHICLES POWERED BY GASEOUS FUELS AND TO PROVIDE EFFECTIVE DATES.

HOUSE BILL NO. 95
BY TRANSPORTATION AND DEFENSE COMMITTEE
 AN ACT

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE DISTRIBUTIONS FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 96
BY TRANSPORTATION AND DEFENSE COMMITTEE
 AN ACT

RELATING TO FUELS; AMENDING SECTION 63-2407, IDAHO CODE, TO DELETE CERTAIN DEDUCTIONS.

HOUSE BILL NO. 97
BY TRANSPORTATION AND DEFENSE COMMITTEE
 AN ACT

RELATING TO MOTOR VEHICLES AND TRAFFIC; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1421A, IDAHO CODE, TO PROVIDE FOR DRIVING A VEHICLE IN A HIGH OCCUPANCY VEHICLE LANE, TO PROVIDE FOR EXCEPTIONS, TO PROVIDE FOR PENALTIES AND TO DEFINE A TERM.

HOUSE BILL NO. 98
BY TRANSPORTATION AND DEFENSE COMMITTEE
 AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE ANNUAL

REGISTRATION FEES FOR CERTAIN VEHICLES, TO PROVIDE FOR ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-402A, IDAHO CODE, TO REVISE UTILITY TRAILER REGISTRATION FEES, TO PROVIDE FOR UTILITY TRAILER REGISTRATION FEES AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-402B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-411, IDAHO CODE, TO REVISE VALIDATION FEE PROVISIONS RELATING TO DEALER AND MANUFACTURER PLATES, TO PROVIDE VALIDATION FEE PROVISIONS RELATING TO DEALER AND MANUFACTURER PLATES AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-432, IDAHO CODE, TO REVISE SPECIFIED PERMIT FEES, TO DELETE REFERENCE TO CERTAIN PERMIT FEES, TO PROVIDE CERTAIN PERMIT FEES, TO PROVIDE CODE REFERENCES AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO DELETE REFERENCE TO CERTAIN REGISTRATION FEES, TO PROVIDE CERTAIN REGISTRATION FEES, TO PROVIDE CORRECT CODE REFERENCES, TO REVISE CERTAIN REGISTRATION AND ADMINISTRATIVE FEES, TO PROVIDE EFFECTIVE DATES, TO PROVIDE OPTIONS TO CERTAIN ANNUAL REGISTRATIONS AND TO SPECIFY PROCESS PROVISIONS, TO PROVIDE FOR ADMINISTRATIVE FEES, TO DELETE REFERENCE TO PROVISIONS RELATING TO REGISTRATION FEES FOR COMMERCIAL AND FARM VEHICLES, TO PROVIDE FOR REGISTRATION FEES FOR COMMERCIAL AND FARM VEHICLES, TO REVISE FEE PROVISIONS RELATING TO SPECIFIED COMMERCIAL AND FARM VEHICLES AND TO DELETE REFERENCE TO CERTAIN USE FEES; AMENDING SECTION 49-435, IDAHO CODE, TO REVISE A CODE REFERENCE AND TO CLARIFY THAT CERTAIN FEES SHALL BE PAID PURSUANT TO APPLICABLE CODE REFERENCES; AMENDING SECTION 49-439, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-443, IDAHO CODE, TO PROVIDE CODE REFERENCES, TO REVISE CODE REFERENCES, TO REVISE CERTAIN TRANSFER FEES RELATING TO VEHICLES DESTROYED BY FIRE OR ACCIDENT, TO PROVIDE CERTAIN TRANSFER FEES RELATING TO VEHICLES DESTROYED BY FIRE OR ACCIDENT AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-450, IDAHO CODE, TO REVISE THE FEE RELATING TO THE ISSUANCE OF PLATES; AND AMENDING SECTION 67-7122, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 99

BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO THE IDAHO GRAPE GROWERS AND WINE PRODUCERS COMMISSION; AMENDING SECTION 54-3607, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE WITHDRAWAL OF FUNDS FROM CERTAIN ACCOUNTS AND TO PROVIDE FOR INTERNAL ACCOUNTING CONTROLS.

HOUSE BILL NO. 100

BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO THE IDAHO GRAPE GROWERS AND WINE PRODUCERS COMMISSION; AMENDING SECTION 54-3610, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE IMPOSITION OF CERTAIN TAXES AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 101

BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO BEEF PROMOTION; AMENDING SECTION 25-2907, IDAHO CODE, TO PROVIDE FOR A REFUND OF BEEF ASSESSMENTS, TO INCREASE THE ASSESSMENT FOR BEEF PROMOTION AND TO REVISE PROCEDURES; AND REPEALING SECTION 25-2908, IDAHO CODE, RELATING TO DISBURSEMENTS.

H 93, H 94, H 95, H 96, H 97, H 98, H 99, H 100, and H 101 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1043, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1047 and **S 1048**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 80, by Appropriations Committee, was read the second time by title and filed for third reading.

H 1, by Business Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 10:30 a.m., Thursday, February 12, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:34 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 12, 2009**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Nielsen. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Travyn Mapes, Page.

Approval of Journal

February 12, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-first Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

At this time, the Speaker put the House at ease.

A Lincoln Day Memorial Service was presented to the members of the House.

Posting of the Colors Idaho State Police Honor Guard

Pledge of Allegiance..... Travyn Mapes, House Page

Invocation Representative Bob Nonini

Welcome and Intro of Program Representative Donna Boe

"Remembering Lincoln" David Leroy

"America the Beautiful" Julie Field

"Lincoln's Excerpts" Representative Rich Wills

Concluding Remarks Lawrence Denney
Speaker of the House

"Battle Hymn of the Republic" Julie Field

Retiring of the Colors Idaho State Police Honor Guard

Prior to going at ease, the House was at the Third Order of Business.

Consideration of Messages from the Governor and the Senate

February 11, 2009

Mr. Speaker:

I transmit herewith **S 1042**, **S 1002**, and **S 1008** which have passed the Senate.

WOOD, Secretary

S 1042, **S 1002**, and **S 1008** were filed for first reading.

February 11, 2009

Mr. Speaker:

I return herewith **H 3**, **H 4**, **H 11**, **H 12**, **H 13**, and **H 15** which have passed the Senate.

WOOD, Secretary

H 3, **H 4**, **H 11**, **H 12**, **H 13**, and **H 15** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 12, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 16**, **HCR 17**, **H 93**, **H 94**, **H 95**, **H 96**, **H 97**, **H 98**, **H 99**, **H 100**, and **H 101**.

CLARK, Chairman

HCR 16 was referred to the Environment, Energy, and Technology Committee.

HCR 17 was filed for second reading.

H 93, **H 94**, **H 95**, **H 96**, **H 97**, and **H 98** were referred to the Transportation and Defense Committee.

H 99, **H 100**, and **H 101** were referred to the Agricultural Affairs Committee.

February 11, 2009

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that **HCR 13** be returned to the Desk for re-referral.

RAYBOULD, Chairman

HCR 13 was filed for second reading.

February 11, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 40** and recommend that it do pass.

BLACK, Chairman

H 40 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 18 BY RESOURCES AND CONSERVATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE, REQUESTING THE NATURAL RESOURCES INTERIM COMMITTEE APPOINTED BY THE LEGISLATIVE COUNCIL TO GATHER INFORMATION AND TO PRESENT FINDINGS AND RECOMMENDATIONS TO THE

LEGISLATURE AND REQUESTING THE DEPARTMENTS OF AGRICULTURE, FISH AND GAME AND LANDS AND THE OFFICE OF SPECIES CONSERVATION TO PROVIDE INFORMATION AND RECOMMENDATIONS TO THE INTERIM COMMITTEE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Idaho's working forests, ranches and farms provide important benefits to all Idahoans by sustaining Idaho's economy, food and fiber production, the heritage of local communities, habitat for fish and wildlife, intact watersheds for clean water and opportunities to hunt, fish and enjoy the outdoors; and

WHEREAS, working forests, ranches and farms, and the benefits they provide, have been lost to other uses over the past several decades and are expected to continue to do so at a rapid rate; and

WHEREAS, many of Idaho's rural landowners are deeply committed to maintaining agriculture and forestry traditions and to serving as stewards of natural resources and wildlife; and

WHEREAS, Idahoans support protecting working forests, ranches and farms as well as the wildlife, access and other benefits these lands provide.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Natural Resources Interim Committee appointed by the Legislative Council is requested to gather information from interested groups and existing resources regarding:

- (1) The extent of conversion of working forests, ranches and farms to other uses;
- (2) The effects of such conversions on local economies, agricultural heritage, timber resources, wildlife habitat and recreational opportunities;
- (3) The strengths and shortcomings of existing programs designed to keep forests, ranches and farms working; and
- (4) The need and opportunity for a suite of state policy tools to:
 - (i) Address the loss of working forests, ranches and farms and to protect the health of fish and wildlife populations;
 - (ii) Provide programs for voluntary enrollment to access forest lands;
 - (iii) Sustain economic contributions of working lands;
 - (iv) Maintain opportunities for outdoor recreation; and
 - (v) Reward good land stewardship.

BE IT FURTHER RESOLVED that the Natural Resources Interim Committee is requested to seek the view of representatives from forestry, ranching, farming, sporting, conservation, business organizations and the public in gathering the information.

BE IT FURTHER RESOLVED that the Natural Resources Interim Committee is requested to present its findings and recommendations to the Second Regular Session of the Sixtieth Idaho Legislature.

BE IT FURTHER RESOLVED that the Department of Agriculture, the Department of Fish and Game, the Department of Lands and the Office of Species Conservation are encouraged to provide information and recommendations relevant to the Natural Resources Interim Committee's study.

**HOUSE JOINT MEMORIAL NO. 1
BY RESOURCES AND CONSERVATION COMMITTEE
A JOINT MEMORIAL**

TO THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF THE INTERIOR, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, gray wolves were introduced into Idaho in 1995 by the United States over the objections of the Idaho Legislature upon the premise that the population would be fully recovered upon the establishment of 100 wolves and ten breeding pairs in Central Idaho, with similar populations in Northwestern Montana and the Greater Yellowstone area for three consecutive years, with dispersal and genetic connectivity among the three populations; and

WHEREAS, in 2002, the United States Fish and Wildlife Service affirmed that numeric recovery goals for the gray wolf in the Northern Rocky Mountains had been achieved upon the establishment of 100 wolves and ten breeding pairs each in Idaho, Montana and Wyoming for three consecutive years; and

WHEREAS, the state of Idaho has in good faith cooperated to achieve wolf recovery in accordance with the standards established by the federal government, with the understanding that Idaho would regain its authority to manage wolves in the same fashion it manages its other wildlife; and

WHEREAS, the wolf population in Idaho, Montana and Wyoming has surpassed the numeric recovery goal every year since 2000 and there is now proof of dispersal, genetic connectivity, and interbreeding of wolf populations among all three states; and

WHEREAS, the current wolf population in Idaho includes an estimated minimum of 800 to 850 individuals, comprising at least 88 packs and 38 breeding pairs; and

WHEREAS, the United States Department of Agriculture Wildlife Services estimated that in 2008, 26 of these packs were chronically depredating packs and predation by the growing population of gray wolves is having an increasing impact on the livestock industry in Idaho; and

WHEREAS, unchecked predation by wolves has also reduced elk populations in portions of Idaho to a point where hunting opportunities must be reduced, with economic impacts to businesses and communities dependent on hunting, and the continued growth of the gray wolf population far beyond recovery levels will have profound economic consequences for people and communities in Idaho; and

WHEREAS, the United States Fish and Wildlife Service approved the state of Idaho's wolf population management plan, thereby supporting Idaho's exercise of authorities for certain control and management actions for listed species pursuant to section 10(j) of the Endangered Species Act and supporting full state management following delisting; and

WHEREAS, in his July 18, 2008, decision overturning a previous version of the delisting rule on other grounds, U.S. District Court Judge Donald Molloy indicated that the state of Idaho's legislative framework and state wolf population management plan were not likely to threaten the continued existence of the wolf in Idaho; and

WHEREAS, the United States, in the draft final rule announced by the U.S. Fish and Wildlife Service on January 14, 2009, confirmed that the best available science proves that the gray wolf population in Idaho is fully recovered; and

WHEREAS, for purely administrative purposes, the incoming Administration of President Barack Obama ordered that the draft final rule removing Northern Rocky Mountain gray wolves from the list of endangered and threatened species be indefinitely withheld from publication in the Federal Register.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the United States is urged to honor the commitment made to Idaho that wolves would be delisted upon fulfillment of the 1994 recovery standards.

BE IT FURTHER RESOLVED that the Idaho Legislature expresses its support for the draft final rule submitted by the United States Fish and Wildlife Service to delist the gray wolf population in Idaho.

BE IT FURTHER RESOLVED that the President be urged to withdraw the directive suspending publication of the rule removing Northern Rocky Mountain gray wolves from the list of endangered and threatened species and that the President and his Administration be urged to allow that rule to take effect and defend the rule against any legal challenges.

BE IT FURTHER RESOLVED that the Idaho Department of Fish and Game and the Governor's Office of Species Conservation are requested to support and defend the delisting of gray wolves in Idaho.

BE IT FURTHER RESOLVED that the Idaho Department of Fish and Game and the Governor's Office of Species Conservation are requested to take all appropriate lawful actions, both pending and following delisting, to control wolf-caused depredation on domestic animals and to control wolves in areas with unacceptable impacts to Idaho's big game species, to support the responsible management of all of Idaho's wildlife and to provide for the public welfare, economic well-being and security of Idaho citizens.

BE IT FURTHER RESOLVED that, so long as wolf populations in Idaho are listed under the Endangered Species Act, the Idaho Department of Fish and Game and the Governor's Office of Species Conservation are requested to annually determine, and report to the Legislature, the amount of monetary damages caused to Idaho's economic interests by wolf predation on domestic animals and wildlife for the time period when inaction by the federal government has prevented Idaho from fully managing wolves located in the state.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Secretary of the Interior, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HCR 18 and **HJM 1** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 102
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO COUNTIES; AMENDING SECTION 31-857, IDAHO CODE, TO PROVIDE THAT CHALLENGES TO PROCEEDINGS AND JURISDICTIONAL STEPS PRECEDING ORDERS RELATING TO THE CREATION, ESTABLISHMENT, DISESTABLISHMENT, DISSOLUTION

OR MODIFICATION OF CERTAIN DISTRICTS SHALL NOT BE HEARD OR CONSIDERED FOLLOWING THE LAPSE OF A SPECIFIED PERIOD OF TIME.

**HOUSE BILL NO. 103
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO COUNTY FEES AND THE PROTECTION OF PERSONS UNDER DISABILITY; REPEALING SECTION 2, CHAPTER 55, LAWS OF 2005, RELATING TO A SUNSET DATE FOR THE GUARDIANSHIP PILOT PROJECT FUND; AMENDING SECTION 15-5-404, IDAHO CODE, TO PROVIDE THAT FINANCIAL PLANS FILED IN CERTAIN CONSERVATORSHIP CASES ARE SUBJECT TO EXAMINATION AND REVIEW AS PROVIDED BY RULES ADOPTED BY THE IDAHO SUPREME COURT; AMENDING SECTION 15-5-418, IDAHO CODE, TO PROVIDE THAT INVENTORY AND RECORDS FILED IN CERTAIN CONSERVATORSHIP CASES ARE SUBJECT TO EXAMINATION AND REVIEW AS PROVIDED BY RULES ADOPTED BY THE IDAHO SUPREME COURT; AND AMENDING SECTION 15-5-419, IDAHO CODE, TO PROVIDE THAT ACCOUNTS AND REPORTS FILED IN CERTAIN CONSERVATORSHIP CASES ARE SUBJECT TO EXAMINATION AND REVIEW AS PROVIDED BY RULES ADOPTED BY THE IDAHO SUPREME COURT.

**HOUSE BILL NO. 104
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO COORDINATED FAMILY SERVICES; AMENDING SECTION 32-1402, IDAHO CODE, TO PROVIDE THAT A DOMESTIC VIOLENCE COURT COORDINATOR IS AN EFFECTIVE RESPONSE TO ADDRESS THE NEEDS OF FAMILIES AND CHILDREN; AMENDING SECTION 32-1407, IDAHO CODE, TO PROVIDE THAT A DOMESTIC VIOLENCE COURT COORDINATOR SHALL SUBMIT TO A FINGERPRINT-BASED CRIMINAL HISTORY CHECK; AMENDING CHAPTER 14, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1408, IDAHO CODE, TO PROVIDE A STATEMENT OF POLICY RELATING TO DOMESTIC VIOLENCE COURTS; AMENDING CHAPTER 14, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1409, IDAHO CODE, TO PROVIDE FOR DOMESTIC VIOLENCE COURTS; AND AMENDING CHAPTER 14, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1410, IDAHO CODE, TO PROVIDE FOR DOMESTIC VIOLENCE COURT FEES AND THE DISTRIBUTION OF DOMESTIC VIOLENCE COURT FEES.

**HOUSE BILL NO. 105
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO FEES; AMENDING SECTION 1-2303, IDAHO CODE, TO INCREASE THE FILING FEE FOR SMALL CLAIMS CASES AND TO REVISE THE DISTRIBUTION OF THE FILING FEE FOR SMALL CLAIMS CASES TO PROVIDE THAT A CERTAIN AMOUNT SHALL BE DEPOSITED IN THE SENIOR MAGISTRATE JUDGES FUND; AMENDING SECTION 31-3201A, IDAHO CODE, TO REVISE PROVISIONS

RELATING TO CERTAIN DISTRICT COURT FEES, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 18-918, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

HOUSE BILL NO. 106
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO JUDGMENT; AMENDING SECTION 19-2522, IDAHO CODE, TO PROVIDE THAT PROFESSIONALS DETERMINED BY THE COURT TO BE QUALIFIED TO EXAMINE A DEFENDANT'S MENTAL CONDITION MAY BE APPOINTED BY THE COURT TO EXAMINE AND REPORT UPON THE MENTAL CONDITION OF THE DEFENDANT AT SENTENCING AND TO PROVIDE THAT IF A MENTAL HEALTH EXAMINATION OF THE DEFENDANT HAS PREVIOUSLY BEEN CONDUCTED PURSUANT TO SECTION 19-2524, IDAHO CODE, AND THE COURT DETERMINES THAT SUCH EXAMINATION AND REPORT PROVIDE CERTAIN NECESSARY INFORMATION, THEN THE COURT NEED NOT ORDER AN ADDITIONAL EXAMINATION OF THE DEFENDANT'S MENTAL CONDITION AT SENTENCING.

HOUSE BILL NO. 107
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO EXECUTION; AMENDING SECTION 19-2716, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE INFLICTION OF THE DEATH PENALTY AND TO CORRECT A CODIFIER'S ERROR.

HOUSE BILL NO. 108
BY BUSINESS COMMITTEE
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2103, IDAHO CODE, TO REVISE WHO SHALL BE PERMITTED TO REMAIN ON CERTAIN POLICIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 41-2210, 41-3216 AND 41-3436, IDAHO CODE, TO REVISE WHO SHALL BE PERMITTED TO REMAIN ON CERTAIN CONTRACTS; AMENDING SECTION 41-3923, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS BE PERMITTED TO REMAIN ON CERTAIN CONTRACTS; AMENDING SECTIONS 41-4023 AND 41-4124, IDAHO CODE, TO REVISE WHO SHALL BE PERMITTED TO REMAIN ON CERTAIN CONTRACTS; AMENDING SECTION 41-4703, IDAHO CODE, TO REVISE WHO SHALL BE PERMITTED TO REMAIN ON CERTAIN PLANS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTIONS 41-5203 AND 41-5501, IDAHO CODE, TO REVISE WHO SHALL BE PERMITTED TO REMAIN ON CERTAIN PLANS.

HOUSE BILL NO. 109
BY BUSINESS COMMITTEE
AN ACT

RELATING TO THE IDAHO CONTRACTOR REGISTRATION ACT; AMENDING SECTION 54-5210, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INFORMATION SUBMITTED FOR CONTRACTOR REGISTRATION.

HOUSE BILL NO. 110
BY BUSINESS COMMITTEE
AN ACT

RELATING TO PLUMBING AND PLUMBERS; AMENDING SECTION 54-2614, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REGISTRATION AND FEES FOR APPRENTICES AND SPECIALTY APPRENTICES; AND AMENDING SECTION 54-2614A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REGISTRATION AND RENEWAL FOR APPRENTICES AND SPECIALTY APPRENTICES.

HOUSE BILL NO. 111
BY BUSINESS COMMITTEE
AN ACT

RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1007, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EXAMINATION AND LICENSING REQUIREMENTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-1008, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LICENSING AND REGISTRATION PERIODS; AMENDING SECTION 54-1013, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE REVIVAL OF AN EXPIRED LICENSE; AND AMENDING SECTION 54-1014, IDAHO CODE, TO REVISE CERTAIN FEES.

HOUSE BILL NO. 112
BY BUSINESS COMMITTEE
AN ACT

RELATING TO INSTALLATION OF HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS; AMENDING SECTION 54-5012, IDAHO CODE, TO REVISE THE REGISTRATION PERIOD AND THE REGISTRATION FEE FOR APPRENTICES AND SPECIALTY APPRENTICES.

HOUSE BILL NO. 113
BY BUSINESS COMMITTEE
AN ACT

RELATING TO PLUMBING AND PLUMBERS; AMENDING SECTION 54-2606, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE IDAHO PLUMBING BOARD AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-2617, IDAHO CODE, TO PROVIDE PROCEDURE FOR RENEWAL OF A PLUMBING CONTRACTOR OR JOURNEYMAN CERTIFICATE OF COMPETENCY, TO PROVIDE TIMING AND PROCEDURE FOR RENEWAL OF A PLUMBING SPECIALTY CONTRACTOR AND SPECIALTY JOURNEYMAN CERTIFICATE OF COMPETENCY AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 114
BY BUSINESS COMMITTEE
AN ACT

RELATING TO BUILDING CODES; AMENDING SECTION 39-4109, IDAHO CODE, TO REVISE BUILDING CODE EDITIONS, TO PROVIDE FOR EFFECTIVE DATES FOR BUILDING CODES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 115
BY BUSINESS COMMITTEE
AN ACT

RELATING TO MODULAR BUILDINGS; AMENDING CHAPTER 43, TITLE 39, IDAHO CODE, BY THE ADDITION

OF A NEW SECTION 39-4304A, IDAHO CODE, TO PROVIDE FOR APPOINTMENT AND QUALIFICATIONS OF MODULAR BUILDING INSPECTORS.

HOUSE BILL NO. 116
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO CONSERVATION EASEMENTS AND AGREEMENTS; AMENDING SECTION 55-2104, IDAHO CODE, TO PROVIDE THAT CERTAIN CONSERVATION AGREEMENTS ARE INVALID; AND AMENDING SECTION 63-605, IDAHO CODE, TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 117
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-513, IDAHO CODE, TO REVISE A PROVISION RELATING TO A TERM OF EMPLOYMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-514, IDAHO CODE, TO REVISE DATES RELATING TO CERTAIN CONTRACTS; AMENDING SECTION 33-515, IDAHO CODE, TO REVISE A NOTIFICATION DATE, TO REVISE PROVISIONS RELATING TO CERTAIN CONTRACTS, TO PROVIDE FOR NOTICE AND TO PROVIDE FOR A HEARING; AMENDING SECTION 33-521, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SEVERANCE PAYMENTS; AMENDING SECTION 33-1004, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DETERMINATION OF CERTAIN ALLOWANCES AND TO REVISE A MULTIPLIER; AMENDING SECTION 33-1004A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN EXPERIENCE FACTOR AND TO REVISE MULTIPLIERS FOR CERTAIN EDUCATION FACTORS; REPEALING SECTION 33-1004G, IDAHO CODE, RELATING TO EARLY RETIREMENT INCENTIVE; AMENDING SECTION 33-1004H, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EMPLOYING RETIRED TEACHERS AND ADMINISTRATORS; AMENDING SECTION 33-1271, IDAHO CODE, TO PROVIDE THAT CONTRACTS RESULTING FROM A CERTAIN RATIFICATION SHALL END AT A CERTAIN TIME AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1276, IDAHO CODE, TO PROVIDE FOR CERTAIN POWERS OF THE BOARD OF TRUSTEES UPON A DECLARATION OF A FINANCIAL EMERGENCY BY THE STATE; DECLARING THAT THE LEGISLATURE RECOGNIZES THAT SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS WILL RECEIVE REDUCED FUNDING AND ENCOURAGES THE DISTRICTS AND PUBLIC CHARTER SCHOOLS TO ACCOMMODATE SUCH REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 118
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING SECTION 33-1006, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE TRANSPORTATION SUPPORT PROGRAM, TO PROVIDE FOR THE ELIMINATION OF STATE REIMBURSEMENT FOR CERTAIN COSTS, TO REVISE STATE REIMBURSEMENT FOR CERTAIN COSTS, TO REVISE PROVISIONS RELATING TO THE CALCULATION FOR REIMBURSEMENT, TO REVISE

PROVISIONS RELATING TO QUALIFYING AS A HARDSHIP AND TO DELETE A LOAN PROVISION; AND AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN APPROPRIATION FOR PUBLIC CHARTER SCHOOLS AND TO REVISE PROVISIONS RELATING TO REIMBURSEMENT FOR PUBLIC CHARTER SCHOOL TRANSPORTATION COSTS.

HOUSE BILL NO. 119
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DISTRIBUTION OF MONEYS TO DEVELOPERS OF CERTAIN RETAIL COMPLEXES AND TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTION 63-3641, IDAHO CODE, RELATING TO TANGIBLE PERSONAL PROPERTY SOLD BY CERTAIN RETAILERS; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3641, IDAHO CODE, TO PROVIDE A SALES AND USE TAX REBATE TO DEVELOPERS OF CERTAIN RETAIL COMPLEXES, TO PROVIDE DEFINITIONS, TO PROVIDE PROVISIONS RELATING TO A WRITTEN CLAIM, TO PROVIDE FOR APPROVAL BY THE TAX COMMISSION, TO PROVIDE PROVISIONS RELATING TO THE REBATE AMOUNT, TO PROVIDE THAT CERTAIN INFORMATION IS CONFIDENTIAL, TO PROVIDE FOR DEPOSIT OF CERTAIN MONEYS AND TO PROVIDE FOR A REBATE LIMIT; AND DECLARING AN EMERGENCY.

H 102, H 103, H 104, H 105, H 106, H 107, H 108, H 109, H 110, H 111, H 112, H 113, H 114, H 115, H 116, H 117, H 118, and H 119 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1042, by State Affairs Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1002, by Schroeder, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1008, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 85 and H 86, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1009, by Education Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 30 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kren to open debate.

The question being, "Shall **H 30** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Gibbs. Total – 1.

Absent and excused – Barrett, Nielsen, Roberts, Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 30** passed the House. Title was approved and the bill ordered transmitted to the Senate.

SCR 102 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **SCR 102** be adopted?"

Whereupon the Speaker declared **SCR 102** adopted by voice vote and ordered the resolution returned to the Senate.

H 80 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 80** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Barrett, Clark, Nielsen, Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 80** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 1 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 1** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti,

Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Nielsen, Wills. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 1** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, February 13, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:51 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 13, 2009**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent and excused – Boe, Lake, Loertscher, Moyle, Schaefer, Smith(30), Smith(24). Total – 7.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Lee Gray, Page.

Approval of Journal

February 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

At this time the Speaker put the House at ease for a presentation by the Healthy Families Network recognizing Representative and Mrs. Gary Collins.

Prior to going at ease, the House was at the Third Order of Business.

Consideration of Messages from the Governor and the Senate

February 12, 2009

Mr. Speaker:

I return herewith **H 6** and **H 7** which have passed the Senate.
WOOD, Secretary

H 6 and **H 7** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 18**, **HJM 1**, **H 102**, **H 103**, **H 104**, **H 105**, **H 106**, **H 107**, **H 108**, **H 109**, **H 110**, **H 111**, **H 112**, **H 113**, **H 114**, **H 115**, **H 116**, **H 117**, **H 118**, and **H 119**.

CLARK, Chairman

HCR 18, **HJM 1**, and **H 116** were referred to the Resources and Conservation Committee.

H 102 was referred to the Local Government Committee.

H 103, **H 104**, **H 105**, **H 106**, and **H 107** were referred to the Judiciary, Rules, and Administration Committee.

H 108, **H 109**, **H 110**, **H 111**, **H 112**, **H 113**, **H 114**, and **H 115** were referred to the Business Committee.

H 117 and **H 118** were referred to the Education Committee.

H 119 was referred to the Revenue and Taxation Committee.

February 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 3**, **H 4**, **H 11**, **H 12**, **H 13**, and **H 15**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 3**, **H 4**, **H 11**, **H 12**, **H 13**, and **H 15** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 12, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 65** and **S 1044** and recommend that they do pass.

LOERTSCHER, Chairman

H 65 and **S 1044** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

House of Representatives
State of Idaho

February 12, 2009

The Honorable Robert Schaefer
Commerce & Human Resources Committee

Dear Representative Schaefer:

I hereby designate the Commerce and Human Resource Committee a privileged committee for the purpose of introducing RS 18571 Tuesday, February 17, 2009.

Sincerely,
/s/ Lawrence Denney
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

HOUSE JOINT MEMORIAL NO. 2 BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES,
TO THE SECRETARY OF ENERGY OF THE UNITED STATES, TO THE LEADERSHIP OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully request that you join us in congratulating the Idaho National Laboratory on the occasion of its 60th anniversary, and represent that:

WHEREAS, at the direction of the United States Government, the Idaho National Laboratory (INL), since 1949, has fulfilled a leadership role and made key contributions in nuclear energy research, development, demonstration and deployment; and

WHEREAS, just two years following establishment of the Idaho facility, Experimental Breeder Reactor No. 1, now a National Historic Landmark, produced the world's first usable amount of electricity from a nuclear chain reaction and later proved the principle that reactors could create more fuel than they use; and

WHEREAS, INL's strategic location within today's Western Inland Energy Corridor enables its researchers to most effectively and efficiently identify, assess and integrate the region's unmatched wind, biomass, hydropower, geothermal, conventional and unconventional fossil and uranium resources; and

WHEREAS, it is in the best interests of Idaho and the United States to increase energy self-sufficiency and supply diversity, while moderating the environmental impacts of energy exploration, production, distribution and end use; and

WHEREAS, INL is a key national energy research and development center wherein the federal government has invested significant funds to establish such unique and globally important assets as the Advanced Test Reactor, the Safety and Tritium Applied Research fusion facility, the Control Systems Security and Test Center, and others, all of which demand continued, or even expanded, use to assure maximum return on tax dollar investment; and

WHEREAS, the state of Idaho appreciates the effective, expedited cleanup of legacy Cold War wastes that has occurred to this point across the INL site as guided by the Department of Energy's landmark 1995 Settlement Agreement, anxiously anticipates completion of the broader cleanup mission, and is committed to hosting continued broad-spectrum, national-priority nuclear research in Idaho as fully allowed by that agreement.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature supports and encourages the Department of Energy, the Administration and the Congress in this 60th anniversary year of the decision of the federal government to create the nation's reactor testing center in Idaho, and to identify, commit and sustain the funding necessary to allow design, development, testing and demonstration in Idaho at INL of highly efficient, state of the art, advanced nuclear energy technologies, processes and systems that can, ultimately, be commercially replicated in other locations throughout the United States and throughout the world.

BE IT FURTHER RESOLVED that the Legislature supports execution of an enhanced portfolio of bioenergy, advanced energy storage, fuel reforming, hybrid energy island and related alternative and renewable energy research in Idaho at INL, and hereby requests that the Department of Energy, the Administration and the Congress identify, commit and sustain the funding necessary to allow continued performance of this and other multiprogram energy and national-security-enhancing work so critical to the economic prosperity and long-term well-being of these United States.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Secretary of Energy of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 2 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 120 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO EDUCATION AND BUDGET AND TAX LEVIES; AMENDING SECTION 33-802, IDAHO CODE, TO ELIMINATE LANGUAGE RELATING TO THE PROVISION THAT CERTAIN SCHOOL DISTRICTS MAY AUTHORIZE A BUDGET STABILIZATION LEVY AND TO ELIMINATE A RELATED NOTICE REQUIREMENT; AND AMENDING SECTIONS 33-808 AND 50-2908, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

HOUSE BILL NO. 121 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAX CHECKOFFS AND DONATIONS; AMENDING SECTION 63-3067A, IDAHO CODE, TO PROVIDE FOR DESIGNATION BY INDIVIDUALS OF A REFUND FOR AN OVERPAYMENT OF INCOME TAXES OR A DONATION BY INDIVIDUALS TO THE IDAHO FOOD BANK; AMENDING SECTION 63-3067B, IDAHO CODE, TO PROVIDE FOR DESIGNATION BY INDIVIDUALS OF A REFUND FOR AN OVERPAYMENT OF INCOME TAXES OR A DONATION BY INDIVIDUALS TO THE IDAHO FOOD BANK; AND AMENDING CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-824, IDAHO CODE, TO CREATE THE IDAHO FOOD BANK FUND IN THE STATE TREASURY.

HOUSE BILL NO. 122 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO ENERGY ENTERPRISE ZONES; AMENDING TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 18, TITLE 61, IDAHO CODE, TO PROVIDE LEGISLATIVE PURPOSE, TO DEFINE TERMS, TO PROVIDE ADMINISTRATION, TO PROVIDE FOR RENEWABLE ENERGY ENTERPRISE ZONE DESIGNATION, TO PROVIDE STATE TAX INCENTIVES AND TO PROVIDE TERMINATION OF RENEWABLE ENERGY ENTERPRISE ZONES; AMENDING SECTION 63-2401, IDAHO CODE, TO REVISE THE DEFINITION OF SPECIAL FUEL AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029H, IDAHO CODE, TO PROVIDE FOR AN INCOME TAX CREDIT FOR ALTERNATIVE ENERGY GENERATION OF ELECTRICITY FOR SIX TAXABLE YEARS, TO PROVIDE THE AMOUNT OF THE CREDIT, TO PROVIDE PROCEDURES, TO DEFINE TERMS AND TO PROVIDE FOR CARRYOVER AUTHORITY; AMENDING

SECTION 63-3029B, IDAHO CODE, TO PROVIDE THAT TAXPAYERS MAKING EXPENDITURES FOR QUALIFIED ALTERNATIVE ENERGY GENERATION EQUIPMENT ARE ENTITLED TO THE INCOME TAX CREDIT FOR CAPITAL INVESTMENT; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029Q, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO INVESTMENT IN ALTERNATIVE ENERGY GENERATION EQUIPMENT, TO PROVIDE A SUNSET DATE, TO PROVIDE DEFINITIONS, TO PROVIDE A CARRYOVER OF UNUSED CREDITS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-60200, IDAHO CODE, TO PROVIDE A PROPERTY TAX EXEMPTION FOR CERTAIN PROPERTY IN A RENEWABLE ENERGY ENTERPRISE ZONE; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 123
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO PUBLIC ASSISTANCE AND WELFARE; AMENDING SECTION 56-102, IDAHO CODE, TO REMOVE AN EXCEPTION FOR THE IDAHO STATE VETERANS HOMES, TO PROVIDE PRINCIPLES TO APPLY TO THE REIMBURSEMENT OF THE IDAHO STATE VETERANS HOMES, TO REMOVE A PROVISION FOR PAYMENT TO SKILLED CARE FACILITIES, TO PROVIDE AN ADJUSTMENT TO SKILLED CARE FACILITY PROSPECTIVE RATES WITH AN EXCEPTION, TO PROVIDE A MAXIMUM INCENTIVE PAYMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-113, IDAHO CODE, TO PROVIDE FOR THE SAME RATE TO BE PAID TO INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED FOR A CERTAIN PERIOD OF TIME AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-136, IDAHO CODE, TO PROVIDE FOR THE SAME RATE TO BE PAID TO MEDICAID-COVERED PHYSICIAN AND DENTIST SERVICES FOR A CERTAIN PERIOD OF TIME, TO REVISE THE IDENTITY OF AN INDEX PUBLISHER AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-255, IDAHO CODE, TO PROVIDE NONEMERGENCY MEDICAL TRANSPORTATION BENEFITS TO CERTAIN PERSONS AND TO REMOVE NONEMERGENCY MEDICAL TRANSPORTATION BENEFITS FOR CERTAIN PERSONS; AMENDING SECTION 56-1401, IDAHO CODE, TO REVISE LEGISLATIVE INTENT; AMENDING SECTION 56-1402, IDAHO CODE, TO DEFINE NEW TERMS; AMENDING SECTION 56-1404, IDAHO CODE, TO PROVIDE FOR THE CALCULATION OF AN UPPER PAYMENT LIMIT ASSESSMENT RATE AND THE METHODOLOGY THEREFOR, TO PROVIDE FOR THE CALCULATION OF A DISPROPORTIONATE SHARE ASSESSMENT RATE FOR CERTAIN HOSPITALS AND THE METHODOLOGY THEREFOR, AND TO PROVIDE A LIMIT ON ASSESSMENTS FOR CERTAIN HOSPITALS; AMENDING SECTION 56-1406, IDAHO CODE, TO REVISE TIMING FOR MAKING CERTAIN PAYMENTS AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 56-1410, IDAHO CODE, TO REVISE THE CIRCUMSTANCES UNDER WHICH A CERTAIN ASSESSMENT SHALL NOT TAKE EFFECT OR SHALL

CEASE TO BE IMPOSED; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 124
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO IDAHO AG IN THE CLASSROOM; AMENDING SECTION 49-417B, IDAHO CODE, TO PROVIDE THAT THE IDAHO TRANSPORTATION DEPARTMENT SHALL TRANSFER CERTAIN MONEYS TO IDAHO AG IN THE CLASSROOM; AMENDING SECTION 57-815, IDAHO CODE, TO PROVIDE FOR THE USE OF MONEYS TRANSFERRED TO IDAHO AG IN THE CLASSROOM BY THE IDAHO TRANSPORTATION DEPARTMENT AND TO DELETE REFERENCE TO THE IDAHO AG IN THE CLASSROOM FUND; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 125
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO VETERINARIANS; AMENDING SECTION 54-2103, IDAHO CODE, TO REVISE A DEFINITION.

HOUSE BILL NO. 126
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO VETERINARIANS; AMENDING CHAPTER 21, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2108, IDAHO CODE, TO REQUIRE THAT ALL APPLICANTS FOR ORIGINAL LICENSURE, CERTIFICATION AND REINSTATEMENT SUBMIT TO A CERTAIN CRIMINAL BACKGROUND CHECK AND TO PROVIDE PROCEDURES.

HOUSE BILL NO. 127
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO VETERINARIANS; AMENDING SECTION 54-2101, IDAHO CODE, TO ADD ANIMALS AS A GROUP TO BE SAFEGUARDED BY THE STATE AND TO REVISE THE MEANS TO ACCOMPLISH POLICY OBJECTIVES.

HOUSE BILL NO. 128
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE PEA AND LENTIL COMMISSION; AMENDING SECTION 22-3507, IDAHO CODE, TO REVISE COMPENSATION PROVISIONS RELATING TO MEMBERS OF THE PEA AND LENTIL COMMISSION.

HOUSE BILL NO. 129
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE PEA AND LENTIL COMMISSION; AMENDING SECTION 22-3506, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SELECTION OF COMMISSION MEMBERS, TO REVISE PROVISIONS RELATING TO TERMS OF OFFICE OF COMMISSION MEMBERS, TO REVISE PROVISIONS RELATING TO VACANCIES ON THE COMMISSION AND TO PROVIDE THAT APPOINTMENTS TO FILL VACANCIES SHALL BE FOR THE REMAINDER OF THE TERM FOR THAT POSITION.

HOUSE BILL NO. 130**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO OPERATING FEES FOR MOTOR VEHICLES; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE THAT REGISTRATION FOR A TRAILER OR SEMITRAILER SHALL BE PROVIDED WITH ANY VALID STATE TITLE AND NO TITLE TRANSFER WILL BE REQUIRED, TO PROVIDE THAT THE REGISTRANT SHALL BE ISSUED THE IDAHO NATIONAL PLATE THAT WILL NOT REQUIRE AN ANNUAL STICKER AND NO REGISTRATION FEE SHALL BE REQUIRED AFTER THE INITIAL REGISTRATION IS PAID AND TO PROVIDE THAT THE IDAHO NATIONAL PLATE SHALL REMAIN ON THE TRAILER OR SEMITRAILER UNTIL THE REGISTRATION IS CANCELED.

HOUSE BILL NO. 131**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO IDAHO COMMEMORATIVE MEDALLIONS; TO PROVIDE LEGISLATIVE INTENT; AMENDING SECTION 40-702, IDAHO CODE, TO PROVIDE THAT THE STATE HIGHWAY ACCOUNT MAY CONSIST OF THE PROCEEDS OF THE SALE OF TRANSPORTATION IDAHO COMMEMORATIVE MEDALLIONS; AMENDING SECTION 63-3022, IDAHO CODE, TO DEDUCT ANY AMOUNTS INCLUDED IN GROSS INCOME; AMENDING SECTION 63-3622PP, IDAHO CODE, TO PROVIDE THAT ALL MEDALLIONS SOLD BY THE STATE TREASURER ARE EXEMPT FROM THE SALES AND USE TAX; AMENDING SECTION 67-1223, IDAHO CODE, TO PROVIDE FOR A GOLD AND SILVER COMMEMORATIVE MEDALLION TO BE SOLD AND TO PROVIDE FOR WHAT PROCEEDS FROM THE SALE OF MEDALLIONS SHALL BE USED; AND DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 132**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO MILITARY DUTY; AMENDING SECTION 46-216, IDAHO CODE, TO PROVIDE FOR AN ADJUSTMENT TO MILITARY LEAVE ENTITLEMENT FOR STATE EMPLOYEES ASSIGNED TO UNCOMMON TOURS OF DUTY AND TO PROVIDE THAT ADMINISTRATION OF PAID LEAVE FOR UNCOMMON TOURS OF DUTY SHALL BE CONSISTENT WITH CERTAIN FEDERAL PROVISIONS.

HOUSE BILL NO. 133**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO MOTOR VEHICLE LEASE AND RENTAL TAX; AMENDING SECTION 63-3613, IDAHO CODE, TO REVISE THE DEFINITION OF "SALES PRICE"; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR A MOTOR VEHICLE LEASE AND RENTAL TAX, TO PROVIDE FOR CERTAIN EXEMPTIONS, TO PROVIDE FOR DEPOSIT OF MONEYS, TO PROVIDE FOR REGISTRATION, RETURNS AND PAYMENTS, TO PROVIDE FOR CERTAIN TAXES AS STATE MONEYS, TO PROVIDE THAT THE

TAX COMMISSION SHALL ENFORCE PROVISIONS OF THE MOTOR VEHICLE LEASE AND RENTAL TAX AND TO PROVIDE FOR RULES, TO PROVIDE FOR REFUNDS, LIMITATIONS AND INTEREST, TO PROVIDE FOR DEFICIENCY DETERMINATIONS, TO PROVIDE FOR CERTAIN INTEREST, TO PROVIDE FOR A PERIOD OF LIMITATION, TO PROVIDE FOR ADDITIONS AND PENALTIES, TO PROVIDE FOR AUTHORITY OF THE TAX COMMISSION TO ENTER INTO CERTAIN AGREEMENTS AND TO PROVIDE FOR COLLECTION AND ENFORCEMENT.

HOUSE BILL NO. 134**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO MOTOR VEHICLE REGISTRATION FEES; AMENDING SECTION 40-827, IDAHO CODE, TO DELETE A CERTAIN LIMITATION ON MOTOR VEHICLE REGISTRATION FEES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 135**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO MOTOR FUEL TAX AND TRANSPORTATION; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE APPORTIONMENT FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701A, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION FUND, TO PROVIDE FOR MONEYS DEPOSITED INTO THE FUND, TO PROVIDE FOR INTEREST, TO PROVIDE FOR APPORTIONMENT OF FUND MONEYS, TO PROVIDE FOR CONTINUOUS APPROPRIATION AND TO PROVIDE FOR EXPENDITURES; AND AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX UPON MOTOR FUEL.

HOUSE BILL NO. 136**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO MOTOR FUEL TAX AND TRANSPORTATION; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE APPORTIONMENT FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND A TECHNICAL CORRECTION; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701A, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION FUND, TO PROVIDE FOR MONEYS INTO THE FUND, TO PROVIDE FOR INTEREST, TO PROVIDE FOR APPORTIONMENT OF FUND MONEYS, TO PROVIDE FOR CONTINUOUS APPROPRIATION AND TO PROVIDE FOR EXPENDITURES; AND AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX UPON MOTOR FUEL.

H 120, H 121, H 122, H 123, H 124, H 125, H 126, H 127, H 128, H 129, H 130, H 131, H 132, H 133, H 134, H 135, and H 136 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 17, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

HCR 13, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

H 40, by Business Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 16, 2009. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 11 a.m., Monday, February 16, 2009. Seconded by Mr. Ruchti. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:28 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 16, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Jaquet. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Breanna Fuechsel,
Page.

Approval of Journal

February 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved
the House Journal of the Thirty-third Legislative Day and
recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by
Mrs. Boe. Report adopted.

At this time, the Speaker put the House at ease.

A Memorial Service was presented to the members of the
House.

Opening Remarks Representative Fred Wood

Boise State University Meistersingers
"Battle Hymn of the Republic"

Introduction of Memorial Speakers.... Representative Fred Wood

Presentation of Memorials

Vernon K. Brassey by Representative Raúl Labrador
William D. Eberle by Representative Bill Killen
Ray E. Infanger by Representative JoAn Wood
Clyde R. Keithly by Representative Robert Schaefer
Dan Kelly, III by Representative Pete Nielsen

Boise State University Meistersingers
"America the Beautiful"

"Here We Have Idaho"

Benediction "May the Good Lord Bless and Keep You"
Recorded by the late Rep. Elaine Hofman

A HOUSE MEMORIAL

WHEREAS, Representative Vernon K. Brassey has passed on since the close of the Second Regular Session of the Fifty-ninth Idaho Legislature; and

WHEREAS, the late Representative Vernon K. Brassey served in this House, in the interest of Boise County during the Thirty-sixth and Thirty-seventh Legislature covering the years 1961 through 1964.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of Vernon K. Brassey.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward this Memorial to the Brassey family.

Representative Raúl R. Labrador paid tribute to former Representative Vernon K. Brassey.

A HOUSE MEMORIAL

WHEREAS, Representative William D. Eberle has passed on since the close of the Second Regular Session of the Fifty-ninth Idaho Legislature; and

WHEREAS, the late Representative William D. Eberle served in this House, in the interest of Ada County during the Thirty-third through Thirty-sixth Legislature covering the years 1955 through 1962.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of William D. Eberle.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward this Memorial to the Eberle family.

Representative Bill Killen paid tribute to former Representative William D. Eberle.

A HOUSE MEMORIAL

WHEREAS, Representative Ray E. Infanger has passed on since the close of the Second Regular Session of the Fifty-ninth Idaho Legislature; and

WHEREAS, the late Representative Ray E. Infanger served in this House, in the interest of Butte, Clark, Custer, Fremont, Jefferson, and Lemhi Counties during the Forty-second through Fifty-first Legislature covering the years of 1973 through 1992.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of Ray E. Infanger.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward this Memorial to the Infanger family.

Representative JoAn Wood paid tribute to former Representative Ray E. Infanger.

A HOUSE MEMORIAL

WHEREAS, Representative Clyde R. Keithly has passed on since the close of the Second Regular Session of the Fifty-ninth Idaho Legislature; and

WHEREAS, the late Representative Clyde R. Keithly served in this House, in the interest of Canyon County during the Thirty-ninth through Forty-first Legislature covering the years 1967 through 1972.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of Clyde R. Keithly.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward this Memorial to the Keithly family.

Representative Robert Schaefer paid tribute to former Representative Clyde R. Keithly.

A HOUSE MEMORIAL

WHEREAS, Representative Dan Kelly, III has passed on since the close of the Second Regular Session of the Fifty-ninth Idaho Legislature; and

WHEREAS, the late Representative Dan Kelly, III served in this House, in the interest of Elmore County during the Forty-fourth through Forty-seventh Legislature covering the years 1977 through 1984.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of Dan Kelly, III.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward this Memorial to the Kelly family.

Representative Pete Nielsen paid tribute to former Representative Dan Kelly, III.

Prior to going at ease, the House was at the Third Order of Business.

Consideration of Messages from the Governor and the Senate

February 13, 2009

Mr. Speaker:

I transmit herewith **S 1046, S 1067, S 1068, S 1069, S 1050, and S 1065** which have passed the Senate.

WOOD, Secretary

S 1046, S 1067, S 1068, S 1069, S 1050, and S 1065 were filed for first reading.

Report of Standing Committees

February 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HJM 2, H 120, H 121, H 122, H 123, H 124, H 125, H 126, H 127, H 128, H 129, H 130, H 131, H 132, H 133, H 134, H 135, and H 136.**

CLARK, Chairman

HJM 2 was filed for second reading.

H 120, H 121, and H 122 were referred to the Revenue and Taxation Committee.

H 123 was referred to the Health and Welfare Committee.

H 124, H 125, H 126, H 127, H 128, and H 129 were referred to the Agricultural Affairs Committee.

H 130, H 131, H 132, H 133, H 134, H 135, and H 136 were referred to the Transportation and Defense Committee.

February 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 6 and H 7.**

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 6 and H 7** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 12, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 45** and recommend that it do pass.

BLOCK, Chairman

H 45 was filed for second reading.

February 11, 2009

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 76** and recommend that it do pass.

SCHAEFER, Chairman

H 76 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

House of Representatives
State of Idaho

February 13, 2009

The Honorable Jim Clark
Judiciary, Rules & Administration Committee

Dear Representative Clark:

I hereby designate the Judiciary, Rules and Administration Committee a privileged committee for the purpose of introducing the following legislation:

Tuesday, February 17, 2009:

RS 18383C1	RS 18497
RS 18495	RS 18556
RS 18496	RS 18564

Thursday, February 19, 2009:

RS 18380C1	RS 18594
RS 18390C1	RS 18614
RS 18576	RS 18680
RS 18593	RS 18681

Sincerely,
/s/ Lawrence Denney
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

House of Representatives
State of Idaho

February 16, 2009

The Honorable Max Black
Business Committee

Dear Representative Black:

I hereby designate the Business Committee a privileged committee for the purpose of introducing the following legislation:

Tuesday, February 17, 2009:

RS 18408C2	RS 18646
RS 18483	RS 18653
RS 18509	RS 18670

Thursday, February 19, 2009:

RS 18684	RS 18703
RS 18685	RS 18718
RS 18690	

Sincerely,
/s/ Lawrence Denney
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

HOUSE BILL NO. 137
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO POWERS OF THE PARK AND RECREATION BOARD; AMENDING SECTION 67-4223, IDAHO CODE, TO PROVIDE BOARD AUTHORITY TO REGULATE FIREARM DISCHARGES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 138
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO ACTIONS FOR NEGLIGENCE; AMENDING CHAPTER 8, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-809, IDAHO CODE, TO PROVIDE FOR NEGLIGENCE ACTIONS AGAINST CERTAIN INDIVIDUALS IN THE EVENT OF INJURY OR DEATH TO A PERSON CAUSED BY A NONNATIVE ANIMAL SPECIES OR SUBSPECIES INTRODUCED INTO THE STATE OF IDAHO BY A GOVERNMENTAL AGENCY, TO DEFINE A TERM AND TO PROVIDE AN EXCEPTION TO APPLICABILITY OF CERTAIN PROVISIONS.

HOUSE BILL NO. 139
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO WOLVES; AMENDING CHAPTER 39, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3906, IDAHO CODE, TO PROHIBIT THE PROTECTION OF CERTAIN CANADIAN GRAY WOLVES, TO PROVIDE FOR A FELONY AND TO PROVIDE PENALTIES.

HOUSE BILL NO. 140
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXATION OF BEER AND WINE; AMENDING SECTION 23-1008, IDAHO CODE, TO REVISE THE TAX IMPOSED UPON BEER, TO DEFINE "WHOLESALE SALES PRICE," TO PROVIDE FOR CREDITS AND REFUNDS, TO PROVIDE THAT ANY WHOLESALE OR BREWER WHO SELLS BEER TO AN IDAHO RETAILER UPON WHICH TAXES HAVE NOT BEEN PAID SHALL BE GUILTY OF A MISDEMEANOR, TO PROVIDE CORRECT TERMINOLOGY, TO REVISE THE DISTRIBUTION FORMULA AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1319, IDAHO CODE, TO REVISE THE EXCISE TAX ON WINE, TO DEFINE "WHOLESALE SALES PRICE," TO REVISE THE DISTRIBUTION FORMULA AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 141
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO FLOATING HOMES; AMENDING SECTION 55-2704, IDAHO CODE, TO REVISE THE DEFINITION OF "FLOATING HOME"; AND AMENDING SECTION 63-201, IDAHO CODE, TO REVISE THE DEFINITION OF "FLOATING HOME" AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 142
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT; AMENDING SECTION 68-10-409, IDAHO CODE, TO REVISE A DEFINITION, TO DEFINE A TERM, TO CLARIFY LANGUAGE, TO REMOVE A REQUIREMENT FOR AN ALLOCATION TO INCOME NECESSARY TO OBTAIN THE MARITAL DEDUCTION, TO PROVIDE FOR ALLOCATION OF A PAYMENT MADE FROM A SEPARATE FUND TO QUALIFY FOR THE MARITAL DEDUCTION UNDER THE INTERNAL REVENUE CODE, TO PROVIDE FOR NONAPPLICATION, TO PROVIDE TRUSTEE DUTIES WITH REGARD TO INTERNAL INCOME AND ALLOCATION OF A SEPARATE FUND AND TO PROVIDE FOR DETERMINATION OF INTERNAL INCOME OF A SEPARATE FUND; AND AMENDING SECTION 68-10-505, IDAHO CODE, TO REVISE REQUIREMENTS FOR PAYMENT OF A TAX ON THE TRUST'S SHARE OF AN ENTITY'S TAXABLE INCOME AND TO REVISE REQUIREMENTS FOR AN ADJUSTMENT TO INCOME OR PRINCIPAL DUE TO A TAX DEDUCTION RECEIVED BY A TRUST FOR PAYMENTS MADE TO A BENEFICIARY.

H 137, H 138, H 139, H 140, H 141, and H 142 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1046 and S 1050, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1067, S 1068, and S 1069, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

S 1065, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 65 and S 1044, by State Affairs Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 17, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:08 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 17, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Thompson. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Danielle Schmidt, Page.

Approval of Journal

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 16, 2009

Mr. Speaker:

I transmit herewith enrolled **SCR 102** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **SCR 102** and, when so signed, ordered it returned to the Senate.

February 16, 2009

Mr. Speaker:

I return herewith enrolled **H 3, H 4, H 11, H 12, H 13, and H 15** which have been signed by the President.

WOOD, Secretary

Enrolled **H 3, H 4, H 11, H 12, H 13, and H 15** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 16, 2009

Mr. Speaker:

I transmit herewith **S 1066** which has passed the Senate.

WOOD, Secretary

S 1066 was filed for first reading.

February 16, 2009

Mr. Speaker:

I return herewith **H 20** which has passed the Senate.

WOOD, Secretary

H 20 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 137, H 138, H 139, H 140, H 141, and H 142**.

CLARK, Chairman

H 137, H 138, and H 139 were referred to the Resources and Conservation Committee.

H 140, H 141, and H 142 were referred to the Revenue and Taxation Committee.

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 51 and H 83** and recommend that they do pass.

LAKE, Chairman

H 51 and H 83 were filed for second reading.

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1043** and recommend that it do pass.

LOERTSCHER, Chairman

S 1043 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HJM 2** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HJM 2** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Durst. Total – 1.

Absent and excused – Bayer, Kren, Labrador, Smith(24), Thompson. Total – 5.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HJM 2** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Simpson to open debate.

The question being, "Shall **HJM 2** be adopted?"

Whereupon the Speaker declared **HJM 2** adopted by voice vote and ordered the memorial transmitted to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 19
BY HEALTH AND WELFARE COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE BOARD OF PHARMACY RELATING TO RULES OF THE IDAHO BOARD OF PHARMACY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Board of Pharmacy relating to Rules of the Idaho Board of Pharmacy is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 27.01.01, rules governing Rules of the Idaho Board of Pharmacy, rules of the Board of Pharmacy, adopted as a pending rule under Docket Number 27-0101-0801, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 20
BY HEALTH AND WELFARE COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE DEPARTMENT OF HEALTH AND WELFARE RELATING TO MEDICAID ENHANCED PLAN BENEFITS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.03.10, rules governing Medicaid Enhanced Plan Benefits, Rules of the Department of Health and Welfare,

adopted as a pending rule under Docket Number 16-0310-0801, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 21
BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE**

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND SUPPORTING THE PLANNING AND CONSTRUCTION OF NEW FIBER COMMUNICATIONS FACILITIES BETWEEN THE CITIES OF RIGGINS AND GRANGEVILLE, IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature recognizes that modern advanced broadband telecommunications services are critical to the needs of the citizens of Idaho; and

WHEREAS, advanced fiber transport facilities are necessary for the provision of such services; and

WHEREAS, the communications facilities currently in place between the cities of Riggins and Grangeville are vital to the connectivity and communications of citizens in rural, North Central Idaho with the outside world; and

WHEREAS, public safety in Idaho County is hampered because of a lack of fiber connectivity; and

WHEREAS, the current communications facilities are inadequate or nonexistent; and

WHEREAS, the expedited construction of new modern fiber communications facilities is in the best interests of the citizens of Idaho; and

WHEREAS, the representatives of numerous affected local communities, as well as the Governor of the state of Idaho, strongly support such an effort; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we strongly support the planning and construction of new fiber communications facilities between the cities of Riggins and Grangeville, Idaho.

BE IT FURTHER RESOLVED that state and other government agencies provide such support as is available to this endeavor including, expedited review and processing of any needed permits and licenses.

**HOUSE CONCURRENT RESOLUTION NO. 22
BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND URGING THE DIRECTORS OF ALL STATE AGENCIES TO USE ALL CARE AND VIGILANCE TO PROTECT THE PERSONAL DATA AND PRIVATE INFORMATION OF THEIR EMPLOYEES, AND ALL CITIZENS OF THE STATE OF IDAHO THAT THEY SERVE, FOR THE PURPOSE OF PROTECTING AGAINST IDENTITY THEFT, WHICH SHOULD INCLUDE BUT NOT BE LIMITED TO THE PROTECTION OF SOCIAL SECURITY INFORMATION, BANK ACCOUNT INFORMATION, AND INFORMATION RELATING TO STATE AND FEDERAL INCOME TAXES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, in September of 2008, the publication "Consumer Reports" published results of an investigation

revealing that government is among the biggest sources of identity leaks; and

WHEREAS, the report was based on an analysis by the publication of publicly reported data breaches compiled by the nonprofit Privacy Rights Clearinghouse and found that more than 230 security lapses by federal, state and local government from 2005 through June, 2008 resulted in the loss or exposure of at least 44 million consumer records containing social security or driver's license numbers and other personal data; and

WHEREAS, the report also noted that a 2006 investigation by the House Committee on Oversight and Government Reform found that 788 breaches had occurred between January, 2003 and July, 2006 at 17 federal departments and agencies and that few of the incidents were publicly disclosed; and

WHEREAS, recently, it was discovered that the Idaho Soil Conservation Commission, which administers, among other things, Resource Conservation and Rangeland Development Program loans, included in meeting minutes that were published on the internet, credit scores, bank information, bank balances, income levels, and debt-to-income ratios of certain applicants while considering applications for loans from the program; and

WHEREAS, the Idaho Attorney General's Office determined in an October 2, 2008, opinion, that this disclosure did not violate the Idaho Public Records Act, or the federal Fair Credit Reporting Act, but opined that the better practice would be to refrain from including credit scores, bank information, bank balances, and debt-to-income ratio information in the official minutes of the Commission.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the directors of all state agencies are urged and encouraged to use all care and vigilance to protect the personal data and private information of their employees, and all citizens of the state of Idaho that they serve, for the purpose of protecting against identity theft, which should include but not be limited to the protection of social security information, bank account information, and information relating to state and federal income taxes.

HCR 19, HCR 20, HCR 21, and HCR 22 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 143
BY LOCAL GOVERNMENT COMMITTEE
AN ACT**

RELATING TO MUNICIPAL CORPORATIONS AND ANNEXATION; AMENDING SECTION 50-222, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EVIDENCE OF CONSENT TO ANNEXATION AND TO PROVIDE FOR EXCEPTIONS.

**HOUSE BILL NO. 144
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO HOSPITALIZATION OF MENTALLY ILL; AMENDING SECTION 66-327, IDAHO CODE, TO REMOVE CERTAIN RESPONSIBILITIES OF ADULT CHILDREN, TO REMOVE FACTORS TO BE CONSIDERED IN DETERMINING RESPONSIBILITY FOR CERTAIN COSTS, TO REMOVE A CODE REFERENCE RELATING TO THE FIXING OF RESPONSIBILITY FOR CERTAIN COSTS, TO REMOVE LIMITATIONS ON COUNTY

RESPONSIBILITY TO PAY CERTAIN COSTS, TO PROVIDE FOR A LIMITATION ON RATE OF REIMBURSEMENT, TO DEFINE TERMS, TO ALPHABETIZE DEFINED TERMS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 145
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO STERILIZATION; AMENDING SECTION 39-3902, IDAHO CODE, TO REVISE A DEFINITION.

**HOUSE BILL NO. 146
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO THE IDAHO RESIDENTIAL CARE OR ASSISTED LIVING ACT; AMENDING SECTION 39-3303, IDAHO CODE, TO PROVIDE RESIDENTIAL CARE OR ASSISTED LIVING FACILITY REQUIREMENTS FOR RESIDENTS WHO ARE NOT CLIENTS OF THE DEPARTMENT OF HEALTH AND WELFARE; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 147
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-335, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DISQUALIFICATIONS AND CERTAIN PENALTIES; AND AMENDING SECTION 49-337, IDAHO CODE, TO REVISE LANGUAGE AND TO REVISE PROVISIONS RELATING TO FINES FOR CERTAIN EMPLOYERS.

**HOUSE BILL NO. 148
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES, TO PROVIDE FOR DISTRIBUTION OF CERTAIN FEES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 149
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES, TO PROVIDE FOR DISTRIBUTION OF CERTAIN FEES AND TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 150
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO SPECIAL LICENSE PLATES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-402D, IDAHO CODE, TO PROVIDE A FEE; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 151**BY TRANSPORTATION AND DEFENSE COMMITTEE**
AN ACT

RELATING TO FUELS TAX; AMENDING SECTION 63-2425, IDAHO CODE, TO PROVIDE FOR PENALTIES.

HOUSE BILL NO. 152**BY TRANSPORTATION AND DEFENSE COMMITTEE**
AN ACT

RELATING TO RURAL ECONOMIC DEVELOPMENT; AMENDING SECTION 49-2904, IDAHO CODE, TO REVISE MATCHING GRANT PROVISIONS RELATING TO PLANNING AND DEVELOPMENT OF INTERMODAL COMMERCE AUTHORITIES.

HOUSE BILL NO. 153**BY TRANSPORTATION AND DEFENSE COMMITTEE**
AN ACT

RELATING TO MOTOR VEHICLES AND WEIGHT REGULATIONS; AMENDING SECTION 49-1001, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ALLOWABLE WEIGHTS FOR REFUSE/SANITATION TRUCKS AND TO REVISE PROVISIONS RELATING TO AN ANNUAL OPERATING PERMIT.

HOUSE BILL NO. 154**BY TRANSPORTATION AND DEFENSE COMMITTEE**
AN ACT

RELATING TO IDAHO STATE POLICE; AMENDING SECTION 49-2427, IDAHO CODE, TO REVISE PROVISIONS RELATING TO IDENTIFICATION OF CERTAIN STATE POLICE VEHICLES.

HOUSE BILL NO. 155**BY TRANSPORTATION AND DEFENSE COMMITTEE**
AN ACT

RELATING TO HIGHWAYS AND BRIDGES; TO PROVIDE LEGISLATIVE INTENT; AND AMENDING CHAPTER 8, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-827A, IDAHO CODE, TO AUTHORIZE VOTERS IN A COUNTY TO AUTHORIZE THE COUNTY TO IMPOSE AND COLLECT CERTAIN MOTOR VEHICLE REGISTRATION FEES FOR A SPECIFIC PURPOSE, TO PROVIDE FOR SUBMITTING THE QUESTION TO THE VOTERS, TO PROVIDE FOR CONDITIONS, TO PROVIDE FOR COLLECTION AND ADMINISTRATION OF FEES, TO PROVIDE FOR USE OF MONEYS RECEIVED AND TO PROVIDE FOR CERTAIN AGREEMENTS.

HOUSE BILL NO. 156**BY TRANSPORTATION AND DEFENSE COMMITTEE**
AN ACT

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE DISTRIBUTIONS FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 40-701, IDAHO CODE, RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY DISTRIBUTION ACCOUNT; TO PROVIDE A CERTAIN APPORTIONMENT TO THE LAW ENFORCEMENT FUND; AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 157**BY EDUCATION COMMITTEE**
AN ACT

RELATING TO THE IDAHO EDUCATION NETWORK; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-125A, IDAHO CODE, TO PROVIDE DUTIES OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE DEPARTMENT OF EDUCATION REGARDING THE IDAHO EDUCATION NETWORK; AND AMENDING SECTION 67-5745D, IDAHO CODE, TO REMOVE CERTAIN DUTIES OF THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE CERTAIN DEPARTMENT OF ADMINISTRATION DUTIES AND TO PROVIDE FOR STATE DEPARTMENT OF EDUCATION POLICIES.

HOUSE BILL NO. 158**BY EDUCATION COMMITTEE**
AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 41, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4107, IDAHO CODE, TO PROVIDE FOR AN INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, TO PROVIDE A PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR APPLICABILITY, TO PROVIDE FOR EDUCATIONAL RECORDS AND ENROLLMENT, TO PROVIDE FOR PLACEMENT AND ATTENDANCE, TO PROVIDE FOR ELIGIBILITY, TO PROVIDE FOR GRADUATION, TO PROVIDE FOR STATE COORDINATION, TO PROVIDE FOR AN INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, TO PROVIDE FOR POWERS AND DUTIES OF THE INTERSTATE COMMISSION, TO PROVIDE FOR THE ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION, TO PROVIDE FOR RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION, TO PROVIDE FOR OVERSIGHT, ENFORCEMENT AND DISPUTE RESOLUTION, TO PROVIDE FOR FINANCING OF THE INTERSTATE COMMISSION, TO PROVIDE FOR AN EFFECTIVE DATE AND TO PROVIDE FOR AMENDMENT, TO PROVIDE FOR WITHDRAWAL AND DISSOLUTION, TO PROVIDE FOR SEVERABILITY AND CONSTRUCTION AND TO PROVIDE FOR THE BINDING EFFECT OF THE COMPACT AND OTHER LAWS.

HOUSE BILL NO. 159**BY EDUCATION COMMITTEE**
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2002, IDAHO CODE, TO REVISE PROVISIONS RELATING TO GROUP LIFE INSURANCE CONTRACT REQUIREMENTS AND TO PROVIDE REQUIREMENTS RELATING TO GROUP LIFE INSURANCE POLICIES ISSUED TO CERTAIN PERSONS.

HOUSE BILL NO. 160**BY REVENUE AND TAXATION COMMITTEE**
AN ACT

RELATING TO BONDS OF LIBRARY DISTRICTS; AMENDING SECTION 33-2728, IDAHO CODE, TO PROVIDE THAT A LIBRARY DISTRICT MAY ISSUE BONDS IN AN AMOUNT NOT TO EXCEED ONE PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF PROPERTY WITHIN THE DISTRICT, LESS ANY AGGREGATE OUTSTANDING INDEBTEDNESS.

HOUSE BILL NO. 161
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO DISCLOSURE OF PERSONAL INFORMATION; AMENDING SECTION 28-51-105, IDAHO CODE, TO PROVIDE THAT AGENCIES, INDIVIDUALS AND COMMERCIAL ENTITIES SHALL NOTIFY THE CENTRAL OFFICE OF THE IDAHO ATTORNEY GENERAL IN THE EVENT OF CERTAIN BREACHES OF SECURITY.

HOUSE BILL NO. 162
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-319, IDAHO CODE, TO PROVIDE PENALTIES FOR EMPLOYERS WHO INTENTIONALLY AND WILLFULLY FAIL TO SECURE THE PAYMENT OF COMPENSATION AND TO PROVIDE AN ADDITIONAL FACTOR THE COMMISSION MAY CONSIDER IN DETERMINING WHETHER PENALTIES SHOULD BE ASSESSED AND COLLECTED; AMENDING SECTION 72-506, IDAHO CODE, TO PROVIDE FOR AN APPEAL TO THE FULL INDUSTRIAL COMMISSION ON CERTAIN MATTERS; AMENDING SECTION 72-508, IDAHO CODE, TO PROVIDE FOR RULES OF PRACTICE AND PROCEDURE FOR MATTERS OF THE INDUSTRIAL COMMISSION AND TO MAKE TECHNICAL CORRECTIONS.

H 143, H 144, H 145, H 146, H 147, H 148, H 149, H 150, H 151, H 152, H 153, H 154, H 155, H 156, H 157, H 158, H 159, H 160, H 161, and H 162 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1066, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 45, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 76, by Business Committee, was read the second time by title and filed for third reading.

S 1067, S 1068, and S 1069, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 85 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 85** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer,

Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Black, Henderson, Labrador, Thompson. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 85** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 86 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 86** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thompson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 86** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1009 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **S 1009** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thompson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1009** passed the House. Title was approved and the bill ordered returned to the Senate.

HCR 17 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall **HCR 17** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thompson. Total – 1.

Total – 70.

Whereupon the Speaker declared **HCR 17** adopted and ordered the resolution transmitted to the Senate.

HCR 13 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **HCR 13** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – McGeachin, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared **HCR 13** adopted and ordered the resolution transmitted to the Senate.

At this time, Mrs. McGeachin introduced The Honorable Mike Crapo, United States Senator, who addressed the Members of the House.

Mr. Loertscher asked unanimous consent that **H 65** be placed on General Orders for consideration. There being no objection it was so ordered.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 18, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:57 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 18, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Black, Hartgen. Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Erica Olsen, Page.

Approval of Journal

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-seventh Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 17, 2009

Mr. Speaker:

I return herewith enrolled **H 6** and **H 7** which have been signed by the President.

WOOD, Secretary

Enrolled **H 6** and **H 7** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 17, 2009

Mr. Speaker:

I transmit herewith **SCR 103** and **S 1073** which have passed the Senate.

WOOD, Secretary

SCR 103 and **S 1073** were filed for first reading.

February 17, 2009

Mr. Speaker:

I return herewith **HCR 9**, **H 22**, **H 66**, and **H 67** which have passed the Senate.

WOOD, Secretary

HCR 9, **H 22**, **H 66**, and **H 67** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 19**, **HCR 20**, **HCR 21**, **HCR 22**, **H 143**, **H 144**, **H 145**, **H 146**, **H 147**, **H 148**, **H 149**, **H 150**, **H 151**, **H 152**, **H 153**, **H 154**, **H 155**, **H 156**, **H 157**, **H 158**, **H 159**, **H 160**, **H 161**, and **H 162**.

CLARK, Chairman

HCR 19 and **HCR 20** were filed for second reading.

HCR 21 was referred to the Environment, Energy, and Technology Committee.

HCR 22, **H 161**, and **H 162** were referred to the State Affairs Committee.

H 143 was referred to the Local Government Committee.

H 144, **H 145**, and **H 146** were referred to the Health and Welfare Committee.

H 147, **H 148**, **H 149**, **H 150**, **H 151**, **H 152**, **H 153**, **H 154**, **H 155**, and **H 156** were referred to the Transportation and Defense Committee.

H 157 and **H 158** were referred to the Education Committee.

H 159 was referred to the Business Committee.

H 160 was referred to the Revenue and Taxation Committee.

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 20**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 20** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 3**, **H 4**, **H 11**, **H 12**, **H 13**, and **H 15** to the Governor at 1:30 p.m., as of this date, February 17, 2009.

CLARK, Chairman

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 137** and recommend that it do pass.

STEVENSON, Chairman

H 137 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

**HOUSE CONCURRENT RESOLUTION NO. 23
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING THE IMPORTANCE OF WOMEN'S PAY EQUITY AND RECOGNIZING EQUAL PAY DAY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the integrity, well-being and prosperity of Idaho families is a basic and precious value of this state; and

WHEREAS, the financial soundness of Idaho families is key to their success and ability to advance all Idaho values; and

WHEREAS, disparities in women's pay compared to that of men, and consequently, their annual incomes, hinder the ability of women of all ages, races and educational levels to participate in and contribute to a full family life and to build a better state; and

WHEREAS, in Idaho, women's pay has improved only 5 percent since 1992; and since women's pay is 60 percent of pay for men across all industries, according to the United States Bureau of the Census; and this rate places Idaho among the lowest four states with Utah, Wyoming and Louisiana, in regard to women's pay compared to men; and

WHEREAS, as a result of pay disparity, working families nationally lose \$200 billion in annual income due to this wage gap between women and men; and if this gap were closed, married women would see a rise in annual income of 6 percent and would account for a fall in the rate of poverty from 2.1 percent to 0.8 percent; and single women, if the gap were closed, would see their annual incomes rise 17 percent and their poverty rate cut in half; and

WHEREAS, women of color - African American, Latina and Native American - tend to receive even less than the overall average annual income of all women compared to men; and

WHEREAS, improvements in pay equity are closely related to the elimination of poverty and cycles of poverty that persist from generation to generation; and

WHEREAS, the wage gap results in long-term impacts on family well-being, in that women entering retirement years are more likely to enter poverty because they have had insufficient incomes to save for retirement, to maximize pension and Social Security benefits, and to provide for their longer life span as survivors of predeceased spouses; and this circumstance means that the median income of older women is \$15,615, about half that of older men whose median income is \$29,171; and

WHEREAS, pay inequity places women on a path of requiring public benefits that they would not otherwise need.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, to recognize the importance of women's pay equity to the well-being of Idaho families and to recognize April 28, 2009, as Equal Pay Day.

HCR 23 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 103, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 163
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO SCRAP DEALERS; REPEALING CHAPTER 27, TITLE 54, IDAHO CODE, RELATING TO REGULATION OF SCRAP DEALERS; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 27, TITLE 54, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE RECORDS REQUIRED FOR PURCHASING NONFERROUS OR STAINLESS STEEL METAL PROPERTY FROM THE GENERAL PUBLIC, TO PROVIDE REQUIREMENTS FOR PURCHASING OR RECEIVING METAL PROPERTY FROM THE GENERAL PUBLIC, TO PROVIDE FOR A RECORD FOR COMMERCIAL ACCOUNTS, TO PROVIDE FOR REPORTING TO LAW ENFORCEMENT, TO PROVIDE FOR PRESERVING EVIDENCE OF METAL THEFT, TO PROVIDE UNLAWFUL VIOLATIONS AND TO PROVIDE EXEMPTIONS.

**HOUSE BILL NO. 164
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO PEACE OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 19-5109, IDAHO CODE, TO EXTEND THE COUNCIL'S DUTIES TO INCLUDE THE MAINTENANCE OF THE LAW ENFORCEMENT EMPLOYMENT HISTORY BY AGENCY AND DATES OF SERVICE OF PEACE OFFICERS AND TO PROVIDE THAT CERTAIN PERMANENT FILES AND TRANSCRIPTS SHALL BE MADE AVAILABLE TO ANY LAW ENFORCEMENT AGENCY UPON REQUEST WHEN A PERSON APPLIES FOR EMPLOYMENT AT THE REQUESTING AGENCY; AND AMENDING SECTION 19-5117, IDAHO CODE, TO EXTEND THE COUNCIL'S DUTIES TO INCLUDE THE MAINTENANCE OF CERTAIN FILES AND TRANSCRIPTS OF COUNTY DETENTION OFFICERS AND TO PROVIDE THAT CERTAIN PERMANENT FILES AND TRANSCRIPTS SHALL BE MADE AVAILABLE TO ANY LAW ENFORCEMENT AGENCY UPON REQUEST WHEN A PERSON APPLIES FOR EMPLOYMENT AT THE REQUESTING AGENCY.

**HOUSE BILL NO. 165
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO PUBLIC WRITINGS; AMENDING SECTION 9-343, IDAHO CODE, TO PROVIDE THAT NOTHING IN THE PUBLIC RECORDS ACT SHALL RESTRICT A PUBLIC AGENCY OR LAW ENFORCEMENT AGENCY FROM SUPPLYING CERTAIN PERSONNEL RECORDS TO A PUBLIC AGENCY OR LAW ENFORCEMENT AGENCY UPON REQUEST AND IN RESPONSE TO CERTAIN INVESTIGATIONS OR INQUIRIES OR IN JUDICIAL OR ADMINISTRATIVE ADJUDICATORY PROCEEDINGS AND TO PROVIDE CERTAIN IMMUNITY FOR A PUBLIC AGENCY, LAW ENFORCEMENT AGENCY OR SUCH AGENCY'S EMPLOYEES.

**HOUSE BILL NO. 166
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO THE PEACE OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 19-5101, IDAHO CODE, TO FURTHER DEFINE A TERM;

AND AMENDING SECTION 19-5109, IDAHO CODE, TO PROVIDE THAT NO PERSON DEPUTIZED BY A COUNTY SHERIFF OR A CITY CHIEF OF POLICE SHALL HAVE PEACE OFFICER STATUS OUTSIDE THE COUNTY OR CITY IN WHICH HE WAS DEPUTIZED AND TO PROVIDE AN EXCEPTION.

HOUSE BILL NO. 167

**BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE**

AN ACT

RELATING TO CUSTODY OF CHILDREN; AMENDING SECTION 32-717, IDAHO CODE, TO PROVIDE ADDITIONAL RELEVANT FACTORS IN DETERMINING THE CUSTODY, CARE AND EDUCATION OF THE CHILDREN OF THE MARRIAGE.

HOUSE BILL NO. 168

**BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE**

AN ACT

RELATING TO THE SEXUAL OFFENDER REGISTRATION ACT; AMENDING SECTION 18-8308, IDAHO CODE, TO PROVIDE THAT CERTAIN SEXUAL OFFENDERS SHALL REPORT TO THE COUNTY SHERIFF IF THE SEXUAL OFFENDER DID NOT PROVIDE A PHYSICAL RESIDENCE ADDRESS AT THE TIME OF REGISTRATION, TO PROVIDE CERTAIN REPORTING REQUIREMENTS AND TO PROVIDE THAT THE SHERIFF SHALL VERIFY THE LOCATION PROVIDED BY THE OFFENDER.

HOUSE BILL NO. 169

BY BUSINESS COMMITTEE

AN ACT

RELATING TO THE RESIDENTIAL MORTGAGE PRACTICES ACT; REPEALING CHAPTER 31, TITLE 26, IDAHO CODE; AMENDING TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 31, TITLE 26, IDAHO CODE, TO PROVIDE A SHORT TITLE AND SCOPE, TO PROVIDE GENERAL DEFINITIONS, TO PROVIDE THE DIRECTOR'S AUTHORITY UNDER THE NMLSR, TO PROVIDE THAT A BORROWER'S REMEDIES ARE NOT AFFECTED, TO PROVIDE THE RELATIONSHIP TO OTHER LAWS, TO PROVIDE FOR FUNDS COLLECTED, TO PROVIDE CHARGES FOR PARTICIPATION IN THE NMLSR, TO PROVIDE REPORTING REQUIREMENTS TO THE NMLSR, TO PROVIDE A MORTGAGE RECOVERY FUND, TO PROVIDE FUNDING FOR THE MORTGAGE RECOVERY FUND, TO PROVIDE A STATUTE OF LIMITATIONS, TO PROVIDE A PROCEDURE FOR RECOVERY FROM THE MORTGAGE RECOVERY FUND, TO PROVIDE RECOVERY LIMITS FROM THE MORTGAGE RECOVERY FUND, TO PROVIDE FOR THE REVOCATION OF A LICENSE FOR PAYMENT FROM THE MORTGAGE RECOVERY FUND, TO PROVIDE DEFINITIONS FOR PART 2, TO PROVIDE EXEMPTIONS TO PART 2, TO PROVIDE FOR UNLAWFUL ACTS RELATING TO MORTGAGE BROKERING OR MORTGAGE LENDING ACTIVITIES, TO PROVIDE THE POWERS AND DUTIES OF THE DIRECTOR, TO PROVIDE REMEDIES AVAILABLE TO THE DEPARTMENT, TO PROVIDE FOR THE LICENSE TO DO BUSINESS AS A MORTGAGE BROKER OR MORTGAGE LENDER, TO PROVIDE FOR THE REVOCATION OR SUSPENSION OF A MORTGAGE BROKER OR MORTGAGE LENDER

LICENSE, TO PROVIDE REQUIREMENTS RELATING TO RECORDS, ANNUAL REPORTS AND RENEWAL OF A MORTGAGE BROKER OR MORTGAGE LENDER LICENSE, TO PROVIDE FOR EXAMINATION AND INVESTIGATIONS, TO PROVIDE FOR RESTRICTIONS ON FEES AND CHARGES, TO PROVIDE THE PROHIBITED PRACTICES OF MORTGAGE BROKERS AND MORTGAGE LENDERS, TO PROVIDE REQUIREMENTS RELATING TO THE CONTINUING EDUCATION OF QUALIFIED PERSONS IN CHARGE, TO PROVIDE A TITLE, TO PROVIDE FOR THE PURPOSE OF PART 3, TO PROVIDE DEFINITIONS FOR PART 3, TO PROVIDE REQUIREMENTS RELATING TO THE LICENSE AND REGISTRATION OF MORTGAGE LOAN ORIGINATORS AND FOR EXEMPTIONS, TO PROVIDE FOR THE LICENSE AND REGISTRATION APPLICATION OF MORTGAGE LOAN ORIGINATORS, TO PROVIDE REQUIREMENTS RELATING TO THE ISSUANCE OF A MORTGAGE LOAN ORIGINATOR LICENSE, TO PROVIDE PRELICENSING AND RELICENSING EDUCATION REQUIREMENTS FOR MORTGAGE LOAN ORIGINATORS, TO PROVIDE FOR TESTING OF MORTGAGE LOAN ORIGINATORS, TO PROVIDE LICENSE RENEWAL REQUIREMENTS FOR MORTGAGE LOAN ORIGINATORS, TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR MORTGAGE LOAN ORIGINATORS, TO PROVIDE THE DIRECTOR WITH THE AUTHORITY TO REQUIRE MORTGAGE LOAN ORIGINATORS TO BE LICENSED AND REGISTERED THROUGH THE NMLSR, TO PROVIDE A NMLSR INFORMATION CHALLENGE PROCESS, TO PROVIDE FOR ENFORCEMENT AUTHORITY, VIOLATIONS AND PENALTIES, TO PROVIDE THE REMEDIES AVAILABLE TO THE DEPARTMENT, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION, TO PROVIDE THE DIRECTOR WITH INVESTIGATION AND EXAMINATION AUTHORITY, TO PROVIDE FOR PROHIBITED ACTS AND PRACTICES OF MORTGAGE LOAN ORIGINATORS, TO PROVIDE FOR THE UNLAWFUL ACTS OF MORTGAGE LOAN ORIGINATORS, TO PROVIDE REQUIREMENTS FOR NONFEDERALLY INSURED CREDIT UNIONS AND TO PROVIDE DISCLOSURE REQUIREMENTS RELATING TO UNIQUE IDENTIFIERS AND PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 170

BY BUSINESS COMMITTEE

AN ACT

RELATING TO THE SALE OF LEAD ACID BATTERIES; AMENDING SECTION 39-7003, IDAHO CODE, TO INCREASE THE FEE FOR A PERSON WHO PURCHASES A NEW LEAD ACID BATTERY AND TO INCREASE THE FEE WHEN ANY PERSON PRESENTS A USED LEAD ACID BATTERY TO THE SELLER WITH A RECEIPT FOR THE PURCHASE OF A NEW BATTERY FROM THAT SELLER WITHIN THE THIRTY DAY PERIOD IMMEDIATELY FOLLOWING THE PURCHASE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 171

BY BUSINESS COMMITTEE

AN ACT

RELATING TO OCCUPATIONAL THERAPY; AMENDING SECTION 54-3701, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING

SECTION 54-3702, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 54-3703, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3704, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE CERTAIN CERTIFICATION PROVISIONS; AMENDING SECTION 54-3705, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LIMITED PERMITS, TO PROVIDE A CORRECT CODE REFERENCE AND TO PROVIDE FOR TEMPORARY LICENSES; AMENDING SECTION 54-3706, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE AND PROVIDE REQUIREMENTS FOR LICENSURE; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3706, IDAHO CODE, TO PROVIDE FOR APPLICATIONS FOR LICENSURE; AMENDING SECTION 54-3707, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE EXAMINATION FOR LICENSURE PROVISIONS, TO PROVIDE THAT CERTAIN APPLICANTS THAT FAIL TO PASS THE EXAMINATION MUST SUBMIT A NEW APPLICATION AND TO LIMIT THE PERIOD OF TIME WHICH AN APPLICATION WILL BE HELD; AMENDING SECTION 54-3708, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY AND TO REVISE CERTIFYING ENTITY PROVISIONS; AMENDING SECTION 54-3709, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DELETE REFERENCE TO RECOMMENDATION OF THE LICENSURE BOARD AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3710, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE FOR THE TERM OF LICENSES AND TO PROVIDE FOR THE RENEWAL AND REINSTATEMENT OF LICENSES; AMENDING SECTION 54-3711, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR TEMPORARY FEES AND REINSTATEMENT FEES; AMENDING SECTION 54-3712, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DELETE REFERENCE TO RECOMMENDATION OF THE LICENSURE BOARD, TO REFERENCE CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE CODE REFERENCES, TO DELETE PROVISIONS RELATING TO UNPROFESSIONAL CONDUCT AND REFERENCE TO RULES, TO PROVIDE FOR RENEWAL OF SUSPENDED LICENSES, TO PROVIDE FOR CERTAIN REVOKED LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3713, IDAHO CODE, TO REDESIGNATE THE SECTION, TO CLARIFY THE NAME OF THE BOARD, TO PROVIDE FOR APPOINTMENT AND REMOVAL OF BOARD MEMBERS BY THE GOVERNOR AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3715, IDAHO CODE, TO PROVIDE FOR SUPERVISION; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3716, IDAHO CODE, TO PROVIDE FOR COMPLAINTS; AMENDING SECTION 54-3714, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE AND PROVIDE FOR POWERS AND DUTIES OF THE BOARD; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3718, IDAHO CODE, TO PROVIDE GROUNDS FOR ACTION AGAINST A LICENSEE FOR UNPROFESSIONAL CONDUCT; AMENDING SECTION 54-3715, IDAHO CODE, TO REDESIGNATE THE SECTION,

TO PROVIDE FOR THE DISPOSITION OF RECEIPTS AND EXPENSES, TO DELETE REFERENCE TO THE DIRECTOR OF THE IDAHO STATE BOARD OF MEDICINE AND THE STATE BOARD OF MEDICINE ACCOUNT, TO PROVIDE CORRECT TERMINOLOGY AND TO SET FORTH PROVISIONS RELATING TO THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-3716, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR DISCIPLINARY ACTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3721, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL THERAPY LICENSURE FUND; AND AMENDING SECTION 54-3717, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY.

**HOUSE BILL NO. 172
BY BUSINESS COMMITTEE
AN ACT**

RELATING TO PAYDAY LOANS; AMENDING SECTION 28-46-402, IDAHO CODE, TO PROVIDE THAT A LENDER WHICH IS NOT A SUPERVISED FINANCIAL ORGANIZATION MAY NOT DEPOSIT A CONSUMER'S CHECK, WITHDRAW FUNDS ELECTRONICALLY FROM A CONSUMER'S ACCOUNT OR OTHERWISE COLLECT THE PRINCIPAL OF, INTEREST ON, OR ANY FEES OR CHARGES FOR A LOAN SUBJECT TO THIS PART, IF AT THE TIME THE LENDER MAKES THE LOAN, THE LENDER DOES NOT HAVE A CURRENT AND VALID LICENSE TO MAKE LOANS IN THIS STATE; AMENDING SECTION 28-46-412, IDAHO CODE, TO REVISE PAYDAY LOAN PROCEDURES; AMENDING SECTION 28-46-413, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO PROVIDE PROCEDURES UPON THE THIRD RENEWAL OF A PAYDAY LOAN; AND DECLARING AN EMERGENCY.

H 163, H 164, H 165, H 166, H 167, H 168, H 169, H 170, H 171, and H 172 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1073, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 51 and **H 83**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

S 1043, by State Affairs Committee, was read the second time by title and filed for third reading.

At this time, Mr. Bayer introduced The Honorable James Risch, United States Senator, who spoke briefly to the Members of the House.

Third Reading of Bills and Joint Resolutions

H 40 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jarvis to open debate.

The question being, "Shall **H 40** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Black, Crane, Hartgen. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 40** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1044 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Labrador to open debate.

The question being, "Shall **S 1044** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Black, Hartgen. Total – 2.

Total – 70.

Whereupon the Speaker declared that **S 1044** passed the House. Title was approved and the bill ordered returned to the Senate.

H 45 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall **H 45** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Black, Hartgen, Lake. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 45** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 76 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Takasugi to open debate.

At this time Mr. Moyle took the chair.

The question being, "Shall **H 76** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Clark, Collins, Crane, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27). Total – 54.

NAYS – Burgoyne, Chew, Cronin, Durst, Eskridge, Killen, King, Luker, Pence, Ruchti, Rusche, Saylor, Wood(35). Total – 13.

Absent and excused – Black, Hartgen, Mr. Speaker. Total – 3. Total – 70.

Whereupon the Speaker Pro Tem declared that **H 76** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 11 a.m., Thursday, February 19, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:07 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 19, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Pence, Wood(27). Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Madeleine Fehlman, Page.

Approval of Journal

February 19, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-eighth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

February 18, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 3, H 11, H 12, H 15, and H 13

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

Report of Standing Committees

February 19, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 23**,

H 163, H 164, H 165, H 166, H 167, H 168, H 169, H 170, H 171, and H 172.

CLARK, Chairman

HCR 23 was referred to the Commerce and Human Resources Committee.

H 163, H 164, H 165, H 166, H 167, and H 168 were referred to the Judiciary, Rules, and Administration Committee.

H 169, H 170, and H 172 were referred to the Business Committee.

H 171 was referred to the Health and Welfare Committee.

February 19, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 9, H 22, H 66, and H 67.**

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 9, H 22, H 66, and H 67** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 6 and H 7** to the Governor at 1:35 p.m., as of this date, February 18, 2009.

CLARK, Chairman

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HCR 11** and recommend that it do pass.

LOERTSCHER, Chairman

HCR 11 was filed for second reading.

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HCR 7, H 79, S 1012, and S 1019** and recommend that they do pass.

NONINI, Chairman

HCR 7, H 79, S 1012, and S 1019 were filed for second reading.

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 143 and H 102** and recommend that they do pass.

BARRETT, Chairman

H 143 and H 102 were filed for second reading.

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 99 and H 100** and recommend that they do pass.

TRAIL, Chairman

H 99 and H 100 were filed for second reading.

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 132**, **H 152**, and **H 154** and recommend that they do pass.

WOOD, Chairman

H 132, **H 152**, and **H 154** were filed for second reading.

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **HCR 16** and recommend that it do pass.

RAYBOULD, Chairman

HCR 16 was filed for second reading.

February 18, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 123** and recommend that it do pass.

BLOCK, Chairman

H 123 was filed for second reading.

February 19, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 57**, **H 78**, and **S 1018** and recommend that they do pass.

NONINI, Chairman

H 57, **H 78**, and **S 1018** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Regular Session of the Sixtieth Idaho Legislature. Seconded by Mr. Rusche.

Resources & Conservation SecretarySusan OldenKamp
Commerce & Human Resources Secretary.....Mary Tipps
Information ClerkEric Sater

Whereupon the Speaker declared the motion carried by voice vote. The Speaker announced the oath of office had been previously administered to the above named attaches.

HOUSE JOINT MEMORIAL NO. 3 BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Second Amendment of the United States Constitution does not simply provide for a collective right or a right for the states to establish militias; rather it provides for the right of the people to keep and bear arms; and

WHEREAS, the primary purpose of the right to keep and bear arms is to protect one's self, family and possessions from either the private lawlessness of other persons or the tyranny of government; and

WHEREAS, the right to keep and bear arms is also meant to protect the general private uses of firearms in activities such as hunting and other sporting activities; and

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 128 S.Ct. 2783 (2008), recently struck down a firearms ban in the District of Columbia, explicitly ruling that the Second Amendment protects the right of the people to possess firearms for private use; and

WHEREAS, despite this ruling, legislation has been introduced in the United States House of Representatives calling for a system of mandatory federal licensing of all firearm owners; and

WHEREAS, the legislation introduced would require all firearm owners to apply for and carry a federally issued picture identification in order to keep any firearm in their homes; and

WHEREAS, the legislation introduced would make it a federal crime to keep a loaded firearm or an unloaded firearm and ammunition within any premises including, under certain circumstances, American homes where a child may be present; and

WHEREAS, the legislation introduced specifically purports to preempt any state or local law inconsistent with it; and

WHEREAS, the introduced legislation, Blair Holt's Firearm Licensing and Record of Sale Act of 2009, is a direct imposition on each American's individual right to keep and bear arms in their homes and for their protection.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that members of the United States Congress cease and desist attempting to enact federal legislation impinging on the individual right of every American to keep and bear arms in any manner. Specifically, that members of Congress oppose the passage of the Firearm Licensing and Record of Sale Act of 2009, and any similar legislation.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 3 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 173 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE DEPARTMENT OF ADMINISTRATION AND GROUP INSURANCE; AMENDING SECTION 67-5333, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE USE OF UNUSED SICK LEAVE BY THE IDAHO PUBLIC EMPLOYEE RETIREMENT BOARD TO PAY CERTAIN INSURANCE PREMIUMS; AMENDING SECTION 67-5761, IDAHO CODE, TO REVISE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION REGARDING GROUP INSURANCE AND TO REVISE PROVISIONS

RELATING TO GROUP INSURANCE COVERAGE FOR CERTAIN RETIREES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 174
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE MANAGED HEALTH CARE REFORM ACT; AMENDING SECTION 41-3927, IDAHO CODE, TO PROVIDE CERTAIN CONTRACTUAL OBLIGATIONS OF A MANAGED CARE ORGANIZATION.

H 173 and **H 174** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

Mrs. Block asked unanimous consent that **HCR 19** be returned to the Health and Welfare Committee. There being no objection, it was so ordered.

HCR 20, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 137, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1067 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1067** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Pence, Wills, Wood(27). Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1067** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1068 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1068** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge,

Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Pence, Wills, Wood(27). Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1068** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1069 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **S 1069** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Pence, Wills, Wood(27). Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1069** passed the House. Title was approved and the bill ordered returned to the Senate.

H 51 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 51** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Pence, Wills, Wood(27). Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 51** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 83 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 83** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Pence, Wills, Wood(27). Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 83** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **S 1043** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, February 20, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:48 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 20, 2009**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 59 members present.

Absent and excused – Bayer, Bell, Boe, Collins, Eskridge, Kren, Loertscher, Mathews, Schaefer, Takasugi, Wills. Total – 11.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Lee Gray, Page.

Approval of Journal

February 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-ninth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

February 19, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 4, H 6, and H 7

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

February 19, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1009** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1009** and, when so signed, ordered it returned to the Senate.

February 19, 2009

Mr. Speaker:

I return herewith enrolled **H 20** which has been signed by the President.

WOOD, Secretary

Enrolled **H 20** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 19, 2009

Mr. Speaker:

I transmit herewith **S 1061** which has passed the Senate.

WOOD, Secretary

S 1061 was filed for first reading.

February 19, 2009

Mr. Speaker:

I return herewith **HCR 10** and **H 80** which have passed the Senate.

WOOD, Secretary

HCR 10 and **H 80** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HJM 3**, **H 173**, and **H 174**.

CLARK, Chairman

HJM 3 was referred to the State Affairs Committee.

H 173 was filed for second reading.

H 174 was referred to the Business Committee.

February 19, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1041** and recommend that it do pass.

LOERTSCHER, Chairman

S 1041 was filed for second reading.

February 19, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 119**, **H 121**, **H 141**, and **H 142** and recommend that they do pass.

LAKE, Chairman

H 119, **H 121**, **H 141**, and **H 142** were filed for second reading.

February 19, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that **H 171** be returned to the Desk for re-referral.

BLOCK, Chairman

H 171 was referred to the Business committee.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 175
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO VITAL STATISTICS; AMENDING SECTION 39-252, IDAHO CODE, TO REVISE FEES THE STATE REGISTRAR SHALL BE ENTITLED TO RECEIVE AND TO PROVIDE A FEE FOR CERTIFIED COPIES OF DEATH CERTIFICATES, TO PROVIDE FOR REMITTANCE OF FEES, TO PROVIDE FOR WHAT THE FEES MAY BE USED AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 176
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO COUNTY CORONERS; AMENDING SECTION 34-622, IDAHO CODE, TO REQUIRE NEWLY ELECTED OR APPOINTED COUNTY CORONERS WITHIN ONE YEAR OF TAKING OFFICE TO ATTEND A CORONER'S SCHOOL EITHER SPONSORED OR ENDORSED BY THE IDAHO STATE ASSOCIATION OF COUNTY CORONERS; AND AMENDING CHAPTER 28, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-2810, IDAHO CODE, TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR COUNTY CORONERS.

**HOUSE BILL NO. 177
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE STATE CONTROLLER; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 10, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1020, IDAHO CODE, TO DEFINE TERMS AND TO REQUIRE THE STATE CONTROLLER TO CONSTRUCT AND COMPILE A SEARCHABLE BUDGET DATABASE WEBSITE FOR STATE SPENDING.

**HOUSE BILL NO. 178
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE**

RELATING TO THE SEXUAL OFFENDER REGISTRATION ACT; AMENDING SECTION 18-8303, IDAHO CODE, TO REVISE A DEFINITION AND TO FURTHER DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-8304, IDAHO CODE, TO PROVIDE THAT CHAPTER 83, TITLE 18, IDAHO CODE, APPLIES TO PERSONS CONVICTED OF CERTAIN CRIMES AND TO CLARIFY THAT AN OFFENDER IS NOT REQUIRED TO COMPLY WITH THE SEX OFFENDER REGISTRATION REQUIREMENTS WHILE INCARCERATED; AND AMENDING SECTION 18-8308, IDAHO CODE, TO REQUIRE ELECTRONIC MONITORING OF VIOLENT SEXUAL PREDATORS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 179
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE**

AN ACT
RELATING TO GUARDIANSHIPS; AMENDING SECTION 15-5-301, IDAHO CODE, TO PROVIDE FOR THE TESTAMENTARY APPOINTMENT OF A GUARDIAN FOR A DEVELOPMENTALLY DISABLED PERSON AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 66-404, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR CERTAIN GUARDIANSHIP APPOINTMENTS BY WILL; AND AMENDING SECTION 66-405, IDAHO CODE, TO PROVIDE THAT IF AN APPOINTMENT OF A GUARDIAN IS MADE BY WILL, SUCH APPOINTMENT SHALL BE ENTITLED TO PREFERENCE AS THE GUARDIAN IF THE PERSON SO APPOINTED BY WILL IS CAPABLE OF SERVING ON BEHALF OF THE RESPONDENT AND THE COURT FINDS THAT IT IS NOT IN THE BEST INTERESTS OF THE RESPONDENT TO APPOINT A DIFFERENT PERSON AS GUARDIAN.

**HOUSE BILL NO. 180
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO ALCOHOLIC BEVERAGES AND MOTOR VEHICLES; AMENDING SECTION 23-902, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 18-8004C, IDAHO CODE, TO PROVIDE ADDITIONAL PENALTIES; AMENDING SECTION 18-8005, IDAHO CODE, TO PROVIDE ADDITIONAL PENALTIES; AMENDING SECTION 18-8006, IDAHO CODE, TO PROVIDE ADDITIONAL PENALTIES; AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE REQUIREMENTS RELATING TO DRIVER'S LICENSES ISSUED TO INTERDICTED PERSONS; AMENDING SECTION 49-2444, IDAHO CODE, TO PROVIDE REQUIREMENTS RELATING TO IDENTIFICATION CARDS ISSUED TO INTERDICTED PERSONS; AMENDING SECTION 23-312, IDAHO CODE, TO PROHIBIT CERTAIN PERSONS FROM SELLING ALCOHOLIC LIQUOR TO INTERDICTED PERSONS; AMENDING CHAPTER 6, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-604A, IDAHO CODE, TO PROVIDE THAT INTERDICTED PERSONS ARE PROHIBITED FROM PURCHASING, CONSUMING OR POSSESSING ALCOHOLIC BEVERAGES AND TO PROVIDE A PENALTY; AMENDING SECTION 23-949, IDAHO CODE, TO PROVIDE THAT INTERDICTED PERSONS ARE NOT ALLOWED TO PURCHASE, POSSESS, SERVE, DISPENSE OR CONSUME BEER, WINE OR OTHER ALCOHOLIC LIQUOR AND TO PROVIDE A PENALTY; AMENDING CHAPTER 10, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1025, IDAHO CODE, TO PROVIDE THAT IT IS A MISDEMEANOR FOR INTERDICTED PERSONS TO MAKE CERTAIN FALSE REPRESENTATIONS OR OMISSIONS RELATING TO THE SELLING, SERVING OR DISPENSING OF BEER AND TO PROVIDE LICENSEE REQUIREMENTS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 181
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE**

AN ACT
RELATING TO RETAIL SALES OF PSEUDOEPHEDRINE PRODUCTS; AMENDING SECTION 37-3303, IDAHO CODE, TO REVISE THE AMOUNT OF GRAMS OF PSEUDOEPHEDRINE THAT CAN BE SOLD, TRANSFERRED OR FURNISHED BY A

RETAILER IN A SINGLE TRANSACTION, TO PROVIDE A DAILY SALES LIMIT, TO REVISE A THIRTY DAY PURCHASE LIMIT, TO PROVIDE FOR A LOGBOOK OF SALES OF PSEUDOEPHEDRINE PRODUCTS, TO REMOVE A DISTRIBUTION OR SALE REQUIREMENT AND TO REQUIRE THAT THE PURCHASER PRESENTS CERTAIN PHOTOGRAPHIC IDENTIFICATION.

HOUSE BILL NO. 182
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO CRIMES AGAINST CHILDREN; AMENDING SECTION 18-1501, IDAHO CODE, TO PROVIDE FOR ADDITIONAL ACTS THAT CONSTITUTE INJURY TO CHILDREN THAT ARE SUBJECT TO SPECIFIED PUNISHMENT, TO PROVIDE FOR NONAPPLICABILITY OF CERTAIN PROVISIONS OF THIS SECTION AND TO DEFINE TERMS; AMENDING SECTION 18-8001, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 18-8304, IDAHO CODE, TO PROVIDE FOR ADDITIONAL ACTS THAT ARE APPLICABLE TO CHAPTER 83, TITLE 18, IDAHO CODE; AMENDING SECTION 18-8603, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 19-5506, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 183
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING CHAPTER 26, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2604A, IDAHO CODE, TO PROVIDE FOR THE EXPUNGEMENT OF THE CRIMINAL RECORDS OF INNOCENT PERSONS.

HOUSE BILL NO. 184
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO BAIL; REPEALING CHAPTER 29, TITLE 19, IDAHO CODE, RELATING TO BAIL; AMENDING TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 29, TITLE 19, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A STATEMENT OF POLICY, TO PROVIDE THE RIGHT TO BAIL AND LIMITATIONS, TO PROVIDE FOR BAIL, THE RELEASE ON RECOGNIZANCE AND CONDITIONS OF RELEASE, TO DEFINE TERMS, TO PROVIDE ADMISSION TO BAIL, TO PROVIDE FOR POSTING BAIL AND SUFFICIENT SURETIES, TO PROVIDE THAT CASH DEPOSITS SHALL BE APPLIED TO PAYMENTS OF FINES, FEES, COSTS AND RESTITUTION, TO PROVIDE FOR A PROPERTY BOND, TO PROVIDE FOR SUBSTITUTION OF SUFFICIENT SURETIES, TO PROVIDE FOR THE RELEASE OF DEFENDANT ON POSTING BAIL, TO PROVIDE FOR THE INCREASING AND REDUCING BAIL, TO PROVIDE FOR THE SURRENDER OF A DEFENDANT, TO PROVIDE FOR THE ARREST OF A DEFENDANT FOR SURRENDER, TO PROVIDE FOR THE FORFEITURE OF BAIL, TO PROVIDE FOR THE SETTING ASIDE OF AN ORDER OF FORFEITURE AND REINSTATING BAIL, TO PROVIDE FOR A MOTION TO SET ASIDE FORFEITURE, TO PROVIDE

FOR REMITTANCE OF FORFEITURE AND PAYMENT OF BAIL, TO PROVIDE FOR THE REVOCATION OF BAIL AND VIOLATION OF CONDITIONS OF RELEASE, TO PROVIDE FOR THE REVOCATION OF BAIL AND INSUFFICIENT SURETY, TO PROVIDE AN ORDER OF RECOMMITMENT AND READMITTANCE TO BAIL, TO PROVIDE FOR THE EXONERATION OF BAIL AND PROVIDING SEVERABILITY.

HOUSE BILL NO. 185
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO MIDWIFERY; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 54, TITLE 54, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE PURPOSE AND INTENT, TO DEFINE TERMS, TO CREATE THE BOARD OF MIDWIFERY, TO PROVIDE THE BOARD OF MIDWIFERY WITH POWERS AND DUTIES, TO PROVIDE FOR RULEMAKING, TO PROVIDE FOR LICENSURE AND TO PROVIDE A PENALTY, TO PROVIDE QUALIFICATIONS FOR LICENSURE, TO PROVIDE EXEMPTIONS, TO PROVIDE FEES, TO PROVIDE CLIENT PROTECTION AND TO SPECIFY UNPROFESSIONAL CONDUCT, TO PROVIDE FOR DISCLOSURE AND RECORD KEEPING REQUIREMENTS AND TO PROVIDE FOR LICENSE RENEWAL REQUIREMENTS, TO PROVIDE IMMUNITY FROM VICARIOUS LIABILITY AND TO PROVIDE SEVERABILITY; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF MIDWIFERY; AMENDING SECTION 67-2602, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF MIDWIFERY; TO PROVIDE BOARD OF MIDWIFERY REPORTING REQUIREMENTS; AND PROVIDING A SUNSET DATE.

HOUSE BILL NO. 186
BY BUSINESS COMMITTEE
AN ACT

RELATING TO TOWED VEHICLES; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 18, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1807B, IDAHO CODE, TO PROVIDE FOR REQUIRED RECORDS AND DEFINITIONS; AMENDING CHAPTER 18, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1807C, IDAHO CODE, TO PROVIDE FOR REQUESTS FOR TOW AND NOTIFICATION; AMENDING CHAPTER 18, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1807D, IDAHO CODE, TO PROHIBIT CERTAIN REQUESTS FOR TOW, TO PROVIDE FOR STORAGE AND TO PROVIDE FOR RELEASE OF VEHICLE; AMENDING CHAPTER 18, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1807E, IDAHO CODE, TO PROVIDE FOR TOW WHEN VEHICLE OPERATOR IS ARRESTED OR OTHERWISE TAKEN INTO CUSTODY AND TO PROVIDE FOR OTHER TOWS; AMENDING CHAPTER 18, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1807F, IDAHO CODE, TO PROVIDE FOR STORAGE RATES, TO PROVIDE FOR POSTING OF RATES AND TO PROVIDE FOR RELINQUISHMENT OF VEHICLE; AND AMENDING CHAPTER 18, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1807G, IDAHO CODE, TO PROVIDE FOR PENALTIES.

HOUSE BILL NO. 187
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 28, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-2805A, IDAHO CODE, TO PROVIDE FOR NOTICE RELATING TO CERTAIN MOTOR VEHICLE SERVICE CONTRACTS, TO PROVIDE REQUIREMENTS AND TO PROVIDE FOR PENALTIES.

HOUSE BILL NO. 188
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2087, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO PROVIDE ADDITIONAL DUTIES TO A CLIENT.

HOUSE BILL NO. 189
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2041, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO THE REQUIREMENTS AND RESPONSIBILITIES OF REAL ESTATE BROKERS AND THEIR LICENSEES IN CONNECTION WITH TRUST ACCOUNTS AND ENTRUSTED PROPERTY.

HOUSE BILL NO. 190
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2050, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE REQUIRED CONTENTS OF A SELLER REPRESENTATION AGREEMENT.

HOUSE BILL NO. 191
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO LIENS AND FORECLOSURES; AMENDING SECTION 45-1505, IDAHO CODE, TO DELETE THE REQUIREMENT THAT A CERTAIN NOTICE BE ON CANARY YELLOW OR SOME SIMILARLY COLORED YELLOW PAPER; AND AMENDING SECTION 45-1602, IDAHO CODE, TO DELETE THE REQUIREMENT THAT A CERTAIN NOTICE BE ON CANARY YELLOW OR SOME SIMILARLY COLORED YELLOW PAPER.

HOUSE BILL NO. 192
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO HEALTH INSURANCE; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 59, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE THE PURPOSE AND INTENT, TO DEFINE TERMS, TO PROVIDE APPLICABILITY AND SCOPE, TO REQUIRE NOTICE OF RIGHT TO EXTERNAL REVIEW, TO PROVIDE FOR THE REQUEST FOR AN EXTERNAL REVIEW, TO REQUIRE THE EXHAUSTION OF AN INTERNAL GRIEVANCE PROCESS, TO PROVIDE A STANDARD EXTERNAL REVIEW, TO PROVIDE AN EXPEDITED EXTERNAL REVIEW, TO PROVIDE FOR THE BINDING NATURE OF AN EXTERNAL REVIEW DECISION, TO PROVIDE FOR APPROVAL OF INDEPENDENT REVIEW ORGANIZATIONS, TO PROVIDE

MINIMUM QUALIFICATIONS FOR INDEPENDENT REVIEW ORGANIZATIONS, TO HOLD HARMLESS INDEPENDENT REVIEW ORGANIZATIONS, TO PROVIDE EXTERNAL REVIEW REPORTING REQUIREMENTS, TO PROVIDE FUNDING OF EXTERNAL REVIEW, TO PROVIDE DISCLOSURE REQUIREMENTS AND TO PROVIDE SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

H 175, H 176, H 177, H 178, H 179, H 180, H 181, H 182, H 183, H 184, H 185, H 186, H 187, H 188, H 189, H 190, H 191, and H 192 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1061, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 11, by State Affairs Committee, was read the second time by title and filed for third reading.

HCR 7, H 79, H 57, and H 78, by Education Committee, were read the second time by title and filed for third reading.

S 1012, S 1019, and S 1018, by Education Committee, were read the second time by title and filed for third reading.

H 143, by Local Government Committee, was read the second time by title and filed for third reading.

H 102, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 99 and H 100, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 132, H 152, and H 154, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

HCR 16, by Environment, Energy, and Technology Committee, was read the second time by title and filed for third reading.

H 123, by Health and Welfare Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 23, 2009. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 23, 2009. Seconded by Mr. Bedke. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:20 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 23, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Bayer, Lake. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Anna Richter, Page.

Approval of Journal

February 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fortieth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 20, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1044** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1044** and, when so signed, ordered it returned to the Senate.

February 20, 2009

Mr. Speaker:

I return herewith enrolled **HCR 9, H 22, H 66, and H 67** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 9** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 22, H 66, and H 67** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 20, 2009

Mr. Speaker:

I transmit herewith **S 1052, S 1070, S 1075S 1005**, as amended, **S 1006**, as amended, **S 1079, S 1054, S 1097**, and **S 1091** which have passed the Senate.

WOOD, Secretary

S 1052, S 1070, S 1075S 1005, as amended, **S 1006**, as amended, **S 1079, S 1054, S 1097**, and **S 1091** were filed for first reading.

February 20, 2009

Mr. Speaker:

I return herewith **H 9, H 18, H 28, H 1, and HJM 2** which have passed the Senate.

WOOD, Secretary

H 9, H 18, H 28, H 1, and HJM 2 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 175, H 176, H 177, H 178, H 179, H 180, H 181, H 182, H 183, H 184, H 185, H 186, H 187, H 188, H 189, H 190, H 191, and H 192**.

CLARK, Chairman

H 175 and **H 176** were referred to the Local Government Committee.

H 177 and **H 185** were referred to the State Affairs Committee.

H 178, H 179, H 180, H 181, H 182, H 183, and H 184 were referred to the Judiciary, Rules, and Administration Committee.

H 186, H 187, H 188, H 189, H 190, H 191, and H 192 were referred to the Business Committee.

February 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 10** and **H 80**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 10** and **H 80** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 20** to the Governor at 10:10 a.m., as of this date, February 20, 2009.

CLARK, Chairman

February 23, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 157** and recommend that it do pass.

NONINI, Chairman

H 157 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 193
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO SCHOOL DISTRICTS; AMENDING SECTION 33-309, IDAHO CODE, TO REMOVE A MANDATORY DUTY OF THE STATE BOARD OF EDUCATION, TO PROVIDE CERTAIN DISCRETIONARY AUTHORITY TO THE STATE BOARD AND TO MAKE TECHNICAL CORRECTIONS.

H 193 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1052 and **S 1070**, by Agricultural Affairs Committee, were introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

S 1075, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1005, as amended, and **S 1006**, as amended, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1079, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1054 and **S 1097**, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1091, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 173, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1041, by State Affairs Committee, was read the second time by title and filed for third reading.

H 119, **H 121**, **H 142**, and **H 141**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **S 1043** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

HCR 20 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **HCR 20** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Boyle, Crane, Gibbs, Palmer. Total – 4.

Absent and excused – Bayer, Black, Lake, Roberts. Total – 4.
Total – 70.

Whereupon the Speaker declared **HCR 20** adopted and ordered the resolution transmitted to the Senate.

H 137 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 137** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Harwood. Total – 1.

Absent and excused – Bayer, Lake, Roberts. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 137** passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 11 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Durst to open debate.

The question being, "Shall **HCR 11** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Andrus. Total – 1.

Absent and excused – Bayer, Lake, Roberts. Total – 3.
Total – 70.

Whereupon the Speaker declared **HCR 11** adopted and ordered the resolution transmitted to the Senate.

Mr. Nonini asked unanimous consent that **HCR 7** be returned to the Education Committee. There being no objection, it was so ordered.

H 79 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 79** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bayer, Lake, Roberts. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 79** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1012 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini and Mr. Thompson to open debate.

The question being, "Shall **S 1012** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Bayer, Bedke, Lake, Roberts. Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1012** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1019 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **S 1019** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez,

Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Bayer, Bedke, Lake, Roberts. Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1019** passed the House. Title was approved and the bill ordered returned to the Senate.

H 143 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **H 143** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Bayer, Bedke, Lake, Roberts. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 143** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 102 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 102** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Thayn. Total – 1.

Absent and excused – Bayer, Lake, Roberts. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 102** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 99 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Takasugi to open debate.

The question being, "Shall **H 99** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Patrick. Total – 1.

Absent and excused – Bayer, Lake, Roberts. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 99** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 100 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Takasugi to open debate.

The question being, "Shall **H 100** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Loertscher, Luker, Marriott, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Trail, Wills, Wood(27), Mr. Speaker. Total – 60.

NAYS – Barrett, Labrador, Mathews, Moyle, Thayne, Thompson, Wood(35). Total – 7.

Absent and excused – Bayer, Lake, Roberts. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 100** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 132 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 132** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker,

Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bayer, Lake, Roberts. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 132** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 152 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **H 152** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bayer, Lake, Roberts. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 152** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Jarvis asked unanimous consent that **H 154** be placed on General Orders for consideration. There being no objection it was so ordered.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, February 24, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12 noon.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 24, 2009**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Philip Alexander, Page.

Approval of Journal

February 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 23, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1067**, **S 1068**, and **S 1069** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1067**, **S 1068**, and **S 1069** and, when so signed, ordered them returned to the Senate.

February 23, 2009

Mr. Speaker:

I transmit herewith **SCR 104**, **SCR 105**, **SCR 106**, **S 1062**, and **S 1076** which have passed the Senate.

WOOD, Secretary

SCR 104, **SCR 105**, **SCR 106**, **S 1062**, and **S 1076** were filed for first reading.

February 23, 2009

Mr. Speaker:

I return herewith **HCR 17**, **H 85**, and **H 86** which have passed the Senate.

WOOD, Secretary

HCR 17, **H 85**, and **H 86** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 193**.

CLARK, Chairman

H 193 was referred to the Education Committee.

February 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 9**, **H 18**, **H 28**, **H 1**, and **HJM 2**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 9**, **H 18**, **H 28**, **H 1**, and **HJM 2** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 9** to the Secretary of State at 2:39 p.m., as of this date, February 23, 2009.

CLARK, Chairman

February 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 22**, **H 66**, and **H 67** to the Governor at 1:50 p.m., as of this date, February 23, 2009.

CLARK, Chairman

February 23, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 88**, **H 89**, **H 90**, **H 91**, **H 92**, and **H 109** and recommend that they do pass.

BLACK, Chairman

H 88, **H 89**, **H 90**, **H 91**, **H 92**, and **H 109** were filed for second reading.

February 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 59**, **H 60**, **H 70**, **H 71**, **HCR 14**, and **HR 2** and recommend that they do pass.

CLARK, Chairman

H 59, **H 60**, **H 70**, **H 71**, **HCR 14**, and **HR 2** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 24 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE BOARD OF PHARMACY RELATING TO RULES OF THE IDAHO BOARD OF PHARMACY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Board of Pharmacy relating to Rules of the Idaho Board of Pharmacy is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 27.01.01, rules governing Rules of the Idaho Board of Pharmacy, rules of the Board of Pharmacy, adopted as a pending rule under Docket Number 27-0101-0811, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

HCR 24 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 104, **SCR 105**, and **SCR 106**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 194 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO SPORT SHOOTING ACTIVITIES; AMENDING TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 27, TITLE 6, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR A LIMITATION OF LIABILITY ON CERTAIN SPORT SHOOTING ACTIVITIES AND TO PROVIDE EXCEPTIONS; AND AMENDING SECTION 6-904B, IDAHO CODE, TO PROVIDE AN EXCEPTION TO GOVERNMENTAL LIABILITY RELATING TO CERTAIN SPORT SHOOTING RANGES.

H 194 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1062, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1076, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 157, by Education Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Bedke moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

February 24, 2009

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 14**, **H 32**, **H 65**, and **H 154** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 14

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, following "or" insert: "other".

HOUSE AMENDMENT TO H.B. NO. 32

AMENDMENT TO SECTION 8

On page 9 of the printed bill, in line 30, following "respects," insert: "including, but not limited to, the weight of the gloves required for contests and exhibitions.".

CORRECTION TO TITLE

On page 1, in line 24, following "BOUTS" delete "AND TO DELETE REQUIREMENTS RELATING TO THE WEIGHT" and in line 25, delete "OF GLOVES".

HOUSE AMENDMENT TO H.B. NO. 65

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, delete "as" and insert: "as"; and delete line 15 and insert: "administered by the United States secretary of the treasury, and provided further, that such".

AMENDMENT TO SECTION 2

On page 1, delete line 24 and insert: "as administered by the United States secretary of the treasury, and provided further, that such".

CORRECTIONS TO TITLE

On page 1, in line 4, following "IDAHO" insert: ", TO DELETE ARCHAIC VERBIAGE"; and in line 6, following "NONRESIDENTS" insert: ", TO DELETE ARCHAIC VERBIAGE".

HOUSE AMENDMENT TO H.B. NO. 154

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 13, delete "painted" and insert: "painted applied"; in line 18, delete "painted" and insert: "painted applied"; and in line 20, delete "which is painted" and insert: "which is painted".

Bedke, Chairman

Mr. Bedke moved that the reported be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

H 14, as amended, **H 32**, as amended, **H 65**, as amended, and **H 154**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Loertscher asked unanimous consent that **S 1043** be returned to the State Affairs Committee. There being no objection, it was so ordered.

HCR 16 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **HCR 16** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared **HCR 16** adopted and ordered the resolution transmitted to the Senate.

H 123 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 123** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Durst. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 123** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 57 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **H 57** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **H 57** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 78 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chavez to open debate.

The question being, "Shall **H 78** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **H 78** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1018 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1018** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **S 1018** passed the House. Title was approved and the bill ordered returned to the Senate.

H 173 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 173** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 59.

NAYS – Barrett, Boyle, Burgoyne, Collins, Eskridge, Hart, Harwood, Jarvis, King, Schaefer, Wood(35). Total – 11.

Total – 70.

Whereupon the Speaker declared that **H 173** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1041 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall **S 1041** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **S 1041** passed the House. Title was approved and the bill ordered returned to the Senate.

H 119 was read the third time at length, section by section, and placed before the House for final consideration.

Mr. Moyle asked unanimous consent, pursuant to Rule 46, that **H 119** be corrected as follows:

On page 5 of the printed bill, in line 25, the numbers "63-6315A(2)" should be changed to "63-3615A(2)."

There being no objection, it was so ordered.

The question being, "Shall **H 119**, as corrected, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Ringo, Smith(24). Total – 2.

Absent and excused – Schaefer. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 119** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 25, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:17 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 25, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Patrick. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Taleesha Willie, Page.

Approval of Journal

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 24, 2009

Mr. Speaker:

I return herewith enrolled **HCR 10** and **H 80** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 10** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 80** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Report of Standing Committees

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 24**, **H 194**, and House amendments to **H 14**, **H 32**, **H 65**, and **H 154**.

CLARK, Chairman

HCR 24 was filed for second reading.

H 194 was referred to the State Affairs Committee.

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 17**, **H 85**, and **H 86**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 17**, **H 85**, and **H 86** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 14**, as amended, **H 32**, as amended, **H 65**, as amended, and **H 154**, as amended.

CLARK, Chairman

H 14, as amended, **H 32**, as amended, **H 65**, as amended, and **H 154**, as amended, were filed for first reading of engrossed bills.

February 24, 2009

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **HCR 21** and recommend that it do pass.

RAYBOULD, Chairman

HCR 21 was filed for second reading.

February 24, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 101**, **H 128**, and **H 129** and recommend that they do pass.

TRAIL, Chairman

H 101, **H 128**, and **H 129** were filed for second reading.

February 24, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 38** and **H 44** and recommend that they do pass.

BLOCK, Chairman

H 38 and **H 44** were filed for second reading.

February 24, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 96** and **H 155** and recommend that they do pass.

WOOD, Chairman

H 96 and **H 155** were filed for second reading.

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1079** and recommend that it do pass.

NONINI, Chairman

S 1079 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 195
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO VETERANS; AMENDING SECTION 65-101, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COUNTY MEMORIAL COMMISSION AND ITS POWERS; AND AMENDING SECTION 65-602, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 196
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO VALIDATION PROCEEDINGS FOR A HIGHWAY OR PUBLIC RIGHT-OF-WAY; AMENDING SECTION 40-203A, IDAHO CODE, TO INCLUDE CITY COUNCIL AUTHORITY TO INITIATE AND TO CONDUCT VALIDATION PROCEEDINGS INVOLVING A PUBLIC HIGHWAY OR PUBLIC RIGHT-OF-WAY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 197
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO OPERATING FEES FOR MOTOR VEHICLES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-415G, IDAHO CODE, TO PROVIDE FOR A SPECIAL PERMANENT OR BUSINESS LOGO LICENSE PLATE FOR TRAILERS AND SEMITRAILERS.

**HOUSE BILL NO. 198
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO PUBLICATION OF NOTICE OF THE GENERAL TERMS OF WRITTEN AGREEMENTS FOR TRANSFER OR CONVEYANCES OF REAL OR PERSONAL PROPERTY BETWEEN UNITS OF GOVERNMENT OR DISTRICTS; AMENDING SECTION 67-2323, IDAHO CODE, TO REVISE THE REQUIRED PUBLICATION NOTICE FROM TWO CONSECUTIVE WEEKS TO TWICE IN A NEWSPAPER OF GENERAL CIRCULATION AND A FIRST PUBLICATION SHALL BE MADE NOT LESS THAN TWELVE DAYS BEFORE EACH MEETING AND A SECOND PUBLICATION NOTICE MADE NOT LESS THAN FIVE DAYS BEFORE EACH MEETING.

**HOUSE BILL NO. 199
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-107C, IDAHO CODE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO MAY ESTABLISH ADDITIONAL RETIREMENT PLANS FOR EMPLOYEES OF COLLEGES, UNIVERSITIES AND THE STATE BOARD OF EDUCATION.

**HOUSE BILL NO. 200
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE IDAHO ENERGY RESOURCES AUTHORITY; AMENDING SECTION 67-8922, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS OF THE STATE TREASURER TO INVEST STATE FUNDS OR OTHER FUNDS IN FIXED OR VARIABLE RATE BONDS OF THE AUTHORITY UPON CERTAIN CONDITIONS; AND DECLARING AN EMERGENCY.

H 195, H 196, H 197, H 198, H 199, and H 200 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 14, as amended, **H 32**, as amended, and **H 65**, as amended, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

H 154, as amended, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 88, H 89, H 90, H 91, H 92, and H 109, by Business Committee, were read the second time by title and filed for third reading.

H 59, H 60, H 70, H 71, HCR 14, and HR 2, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 121 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **H 121** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Black, Patrick, Wood(35). Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 121** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 142 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ruchti to open debate.

The question being, "Shall **H 142** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Patrick, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 142** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 141 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 141** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Patrick, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 141** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 157** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 26, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:33 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 26, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Block, Patrick, Shirley. Total – 3.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Brigham Duncan, Page.

Approval of Journal

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fifth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 25, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1012** and **S 1019** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1012** and **S 1019** and, when so signed, ordered them returned to the Senate.

February 25, 2009

Mr. Speaker:

I return herewith enrolled **H 9**, **H 18**, **H 28**, **H 1**, and **HJM 2** which have been signed by the President.

WOOD, Secretary

Enrolled **H 9**, **H 18**, **H 28**, and **H 1** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 2** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 195**, **H 196**, **H 197**, **H 198**, **H 199**, and **H 200**.

CLARK, Chairman

H 195 was referred to the State Affairs Committee.

H 196, **H 197**, and **H 198** were referred to the Transportation and Defense Committee.

H 199 was referred to the Education Committee.

H 200 was referred to the Environment, Energy, and Technology Committee.

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 10** to the Secretary of State at 1:49 p.m., as of this date, February 25, 2009.

CLARK, Chairman

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 80** to the Governor at 1:55 p.m., as of this date, February 25, 2009.

CLARK, Chairman

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **HCR 18** and **HJM 1** and recommend that they do pass.

STEVENSON, Chairman

HCR 18 and **HJM 1** were filed for second reading.

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 41**, **H 42**, **H 75**, **H 108**, and **H 192** and recommend that they do pass.

BLACK, Chairman

H 41, **H 42**, **H 75**, **H 108**, and **H 192** were filed for second reading.

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 87**, **H 103**, **H 104**, and **H 105** and recommend that they do pass.

CLARK, Chairman

H 87, **H 103**, **H 104**, and **H 105** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 201
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 21-805, IDAHO CODE, TO PROVIDE DUTIES OF THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS IN AN ELECTION TO ESTABLISH A REGIONAL AIRPORT AUTHORITY, TO PROVIDE ELECTION DATES, TO PROVIDE FOR CANVASSING OF VOTES BY THE COUNTY BOARD OF CANVASSERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 21-806, IDAHO CODE, TO PROVIDE FOR AN ELECTION OF A BOARD OF TRUSTEES OF A REGIONAL AIRPORT AUTHORITY; AMENDING SECTION 22-2721, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL BE THE ELECTION OFFICIAL AND SHALL CONDUCT ALL ELECTIONS OF A SOIL CONSERVATION DISTRICT, TO PROVIDE FOR PAYMENT OF ELECTION EXPENSES BY THE COUNTY THAT CONDUCTS THE ELECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2725, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL SUPERVISE AN ELECTION TO DISCONTINUE A SOIL CONSERVATION DISTRICT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-4301, IDAHO CODE, TO PROVIDE FOR ELECTIONS OF A WEATHER MODIFICATION DISTRICT TO BE CONDUCTED BY THE COUNTY CLERK ON SPECIFIED DATES AND TO PROVIDE FOUR YEAR TERMS FOR BOARD MEMBERS; AMENDING SECTION 23-917, IDAHO CODE, TO PROVIDE THAT A LOCAL OPTION REFERENDUM ELECTION SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 23-918, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK MUST FURNISH ELECTION BALLOTS AND TO PROVIDE THAT THE ELECTOR MUST INDICATE THE ELECTOR'S CHOICE ON THE BALLOT; AMENDING SECTION 23-919, IDAHO CODE, TO PROVIDE THAT THE COUNTY BOARD OF CANVASSERS SHALL CERTIFY ELECTION RESULTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 27-107, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF A CEMETERY MAINTENANCE DISTRICT SHALL BE CONDUCTED IN ACCORDANCE WITH CHAPTERS 12 AND 14, TITLE 34, IDAHO CODE, AND TO PROVIDE DUTIES OF THE COUNTY CLERK; AMENDING SECTION 27-111, IDAHO CODE, TO PROVIDE THAT ELECTIONS FOR CEMETERY MAINTENANCE DISTRICT COMMISSIONERS SHALL BE CONDUCTED BY THE COUNTY CLERK, TO PROVIDE FOR TRANSITION OF TERMS FROM EVEN-NUMBERED YEARS TO ODD-NUMBERED YEARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-402, IDAHO CODE, TO PROVIDE THE DATE THAT AN ELECTION TO CONSOLIDATE COUNTIES SHALL BE HELD; AMENDING SECTION 31-403, IDAHO CODE, TO PROVIDE THAT THE CONTENT OF A PETITION TO HOLD AN ELECTION TO CONSOLIDATE COUNTIES SHALL INDICATE A CERTAIN DATE; AMENDING SECTION 31-407, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN AN ELECTION TO CONSOLIDATE COUNTIES AND TO PROVIDE FOR APPLICATION OF LAW; AMENDING SECTION 31-408, IDAHO CODE, TO PROVIDE DUTIES

OF THE COUNTY CLERK FOR PREPARATION AND FORM OF BALLOTS; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-809A, IDAHO CODE, TO PROVIDE FOR THE CREATION OF A COUNTY ELECTION FUND IN EACH COUNTY AND TO PROVIDE FOR WHAT MONEYS IN THE FUND MAY BE USED; AMENDING SECTION 31-1406, IDAHO CODE, TO REVISE PROCEDURES FOR ELECTION OF DIRECTORS IN A FIRE PROTECTION DISTRICT; AMENDING SECTION 31-1410, IDAHO CODE, TO PROVIDE FOR ELECTION OF FIRE PROTECTION DISTRICT COMMISSIONERS IN ODD-NUMBERED YEARS, TO PROVIDE FOR TRANSITION OF TERMS TO ELECTIONS IN ODD-NUMBERED YEARS, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-4306, IDAHO CODE, TO REVISE PROCEDURES FOR ELECTION OF RECREATION DISTRICT DIRECTORS; AMENDING SECTION 31-4323, IDAHO CODE, TO PROVIDE THAT RECREATION DISTRICT ELECTIONS ARE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4325, IDAHO CODE, TO PROVIDE THAT ELECTIONS FOR PROPOSED INDEBTEDNESS OF A RECREATION DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 31-4510, IDAHO CODE, TO PROVIDE THAT THE ELECTION SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 31-4701, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN COUNTY MUSEUM BOARD ELECTIONS IN ACCORDANCE WITH TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-308, IDAHO CODE, TO PROVIDE THE DATES THAT SCHOOL DISTRICT ELECTIONS TO EXCISE AND ANNEX TERRITORY SHALL BE HELD AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-311, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE HOW CONSOLIDATED ELECTIONS ARE CONDUCTED; AMENDING SECTION 33-312, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO DIVIDE A SCHOOL DISTRICT SHALL BE HELD ON PROVIDED DATES AND CONDUCTED ACCORDING TO TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-313, IDAHO CODE, TO REQUIRE SUBMISSION TO THE COUNTY CLERK OF CERTAIN INFORMATION UPON APPROVAL BY THE STATE BOARD OF EDUCATION TO CHANGE TRUSTEE ZONES, TO DELETE REFERENCE TO THE LENGTH OF TERM OF OFFICE FOR MEMBERS OF A SCHOOL BOARD OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-317, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF COOPERATIVE SERVICE AGENCIES SHALL BE HELD ON SPECIFIED DATES AND CONDUCTED PURSUANT TO SECTION 34-106, IDAHO CODE; AMENDING SECTION 33-351, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CREATE SCHOOL SUBDISTRICTS SHALL BE HELD ON SPECIFIED DATES AND CONDUCTED PURSUANT TO SECTION 34-106, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-354, IDAHO CODE, TO REVISE HOW SCHOOL BOND ELECTIONS ARE CONDUCTED, TO MAKE TECHNICAL CORRECTIONS

AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-401, IDAHO CODE, TO REVISE LEGISLATIVE INTENT REGARDING SCHOOL ELECTIONS; AMENDING SECTION 33-402, IDAHO CODE, TO REVISE NOTICE REQUIREMENTS REGARDING SCHOOL ELECTIONS; REPEALING SECTIONS 33-403, 33-403A, 33-403B AND 33-403C, IDAHO CODE, RELATING TO CONDUCTING SCHOOL ELECTIONS; AMENDING SECTION 33-404, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 33-405, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE; REPEALING SECTIONS 33-405A, 33-405B, 33-406, 33-406A, 33-407, 33-408, 33-409, 33-410, 33-411, 33-412, 33-413, 33-414, 33-415, 33-416, 33-417, 33-418, 33-419, 33-420, 33-421, 33-422, 33-423, 33-424, 33-428, 33-429, 33-430, 33-431, 33-432, 33-433, 33-434, 33-435, 33-436, 33-437, 33-438, 33-439, 33-440, 33-441 AND 33-442, IDAHO CODE, RELATING TO SCHOOL DISTRICT ELECTIONS AS CONDUCTED BY THE SCHOOL DISTRICT; AMENDING SECTION 33-501, IDAHO CODE, TO INCREASE THE TERMS OF SCHOOL DISTRICT BOARDS OF TRUSTEE MEMBERS FROM THREE YEARS TO FOUR YEARS EFFECTIVE AT TIMES AS PROVIDED; REPEALING SECTIONS 33-502A, 33-502C AND 33-502D, IDAHO CODE, RELATING TO CANDIDATES FOR SCHOOL DISTRICT BOARDS OF TRUSTEES; AMENDING SECTION 33-502B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE PROCEDURES; AMENDING SECTION 33-503, IDAHO CODE, TO PROVIDE FOR ELECTION OF SCHOOL DISTRICT BOARDS OF TRUSTEES IN ODD-NUMBERED YEARS ON THE THIRD TUESDAY IN MAY IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 14, TITLE 34, IDAHO CODE; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-503A, IDAHO CODE, TO PROVIDE FOR THE TRANSITION OF SCHOOL TRUSTEE TERMS FROM THREE YEARS TO FOUR YEARS; AMENDING SECTION 33-504, IDAHO CODE, TO PROVIDE FOR APPOINTMENT TO FILL A VACANCY ON A SCHOOL DISTRICT BOARD OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-505, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OR SELECTION OF A SCHOOL DISTRICT BOARD OF TRUSTEES IN A NEWLY CREATED SCHOOL DISTRICT, TO PROVIDE FOR TERMS OF FOUR YEARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-601, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-802, IDAHO CODE, TO PROVIDE THAT CERTAIN SCHOOL LEVY ELECTIONS ARE HELD ON DATES AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 33-803, IDAHO CODE, TO PROVIDE THAT A TAX LEVY ELECTION FOR EDUCATION OF CHILDREN OF MIGRATORY FARM WORKERS IS CONDUCTED AS PROVIDED IN TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-804, IDAHO CODE, TO PROVIDE THAT A SCHOOL PLANT FACILITIES RESERVE FUND LEVY IS HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND IS CONDUCTED AS PROVIDED IN TITLE 34, IDAHO CODE; AMENDING SECTIONS 33-1103 AND 33-1510, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-2106, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF TRUSTEES OF COMMUNITY COLLEGE DISTRICTS SHALL BE HELD

IN ODD-NUMBERED YEARS, TO DELETE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2111, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-2715, IDAHO CODE, TO PROVIDE THAT LIBRARY DISTRICT BOARDS OF TRUSTEES SHALL BE ELECTED IN ODD-NUMBERED YEARS FOR TERMS OF SIX YEARS, TO PROVIDE FOR INITIAL APPOINTMENTS OF BOARD MEMBERS, TO PROVIDE FOR TRANSITION OF BOARD MEMBER TERMS TO TERMS OF SIX YEARS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2716, IDAHO CODE, TO DELETE REFERENCE TO ANNUAL ELECTIONS; AMENDING SECTION 33-2718, IDAHO CODE, TO PROVIDE THAT TRUSTEE ELECTIONS SHALL BE HELD IN ODD-NUMBERED YEARS, TO PROVIDE FOR TRANSITION OF BOARD MEMBER TERMS TO TERMS OF SIX YEARS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-106, IDAHO CODE, TO PROVIDE FOR TWO ELECTIONS IN A CALENDAR YEAR ON SPECIFIED DATES, TO PROVIDE THAT COMMUNITY COLLEGE AND SCHOOL DISTRICT ELECTIONS ARE SUBJECT TO THE LIMITATION ON DATES OF ELECTIONS, TO ALLOW SCHOOL DISTRICTS AN ADDITIONAL TWO DATES EACH YEAR ON WHICH ELECTIONS MAY BE HELD, TO REQUIRE BOND, LEVY AND OTHER BALLOT QUESTION ELECTIONS TO BE HELD WITHIN A TIME CERTAIN UNLESS OTHERWISE PROVIDED BY LAW, TO PROVIDE FOR RECALL ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-304, IDAHO CODE, TO REVISE THE LAW RELATING TO CHALLENGERS AND WATCHERS; AMENDING SECTION 34-601, IDAHO CODE, TO MAKE DATE CHANGES; AMENDING SECTION 34-602, IDAHO CODE, TO PROVIDE SPECIFICATIONS REGARDING A PUBLISHED SECOND NOTICE OF ELECTION; AMENDING SECTION 34-1401, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL ADMINISTER ALL ELECTIONS ON BEHALF OF ANY POLITICAL SUBDIVISION, TO SPECIFY POLITICAL SUBDIVISIONS EXEMPT FROM THE PROVISIONS OF THIS SECTION AND TO PROVIDE THAT SCHOOL DISTRICT AND HIGHWAY DISTRICT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 34-1404, IDAHO CODE, TO REVISE DECLARATION OF CANDIDACY PROVISIONS; AMENDING SECTION 34-1405, IDAHO CODE, TO REVISE NOTICE OF ELECTION FILING DEADLINE PROVISIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-1406, IDAHO CODE, TO PROVIDE SPECIFICATIONS FOR PUBLISHED NOTICES OF ELECTION BY THE COUNTY CLERK; AMENDING CHAPTER 14, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1411, IDAHO CODE, TO PROVIDE FOR PAYMENT OF ELECTION EXPENSES BY A COUNTY, WITH EXCEPTIONS; AMENDING SECTION 34-2301, IDAHO CODE, TO PROVIDE FOR RECOUNT OF BALLOTS FOR MUNICIPAL OFFICES; AMENDING SECTION 39-1324, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF HOSPITAL DISTRICTS SHALL BE CONDUCTED PURSUANT TO TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY BOARD OF COMMISSIONERS AND COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1325A, IDAHO CODE, TO REVISE DUTIES OF THE COUNTY CLERK AND COUNTY COMMISSIONERS, TO PROVIDE CORRECT TERMINOLOGY AND TO

PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-1330, IDAHO CODE, TO PROVIDE FOR BIENNIAL ELECTION OF HOSPITAL DISTRICT BOARD MEMBERS IN MAY, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1339, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PROPOSED INDEBTEDNESS TO BE INCURRED BY A HOSPITAL DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE; AMENDING SECTION 39-1340, IDAHO CODE, TO PROVIDE A DUTY OF THE COUNTY CLERK WITH REGARD TO NOTICES OF HOSPITAL DISTRICT ELECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1341, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND COUNTY COMMISSIONERS IN CONDUCTING HOSPITAL DISTRICT ELECTIONS FOR PROPOSED INDEBTEDNESS IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 40-206, IDAHO CODE, TO REVISE REQUIREMENTS FOR PUBLICATION OF NOTICE; AMENDING SECTION 40-819, IDAHO CODE, TO REVISE HIGHWAY DISTRICT ELECTIONS TO BE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE HIGHWAY DISTRICT COMMISSIONERS AND THE COUNTY CLERK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-1101, IDAHO CODE, TO PROVIDE THAT HIGHWAY DISTRICT ELECTIONS TO AUTHORIZE BONDING SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1304, IDAHO CODE, TO PROVIDE THE DATE ON WHICH HIGHWAY DISTRICT COMMISSIONERS SHALL TAKE OFFICE; AMENDING SECTION 40-1305, IDAHO CODE, TO PROVIDE FOR ELECTION OF HIGHWAY DISTRICT COMMISSIONERS ON THE THIRD TUESDAY OF MAY IN ODD-NUMBERED YEARS, TO DELETE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1305A, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATION OF HIGHWAY DISTRICT ELECTIONS BY THE COUNTY CLERK AND TO PROVIDE FOR SELECTION OF POLLING PLACES BY THE COUNTY COMMISSIONERS; REPEALING SECTION 40-1402, IDAHO CODE, RELATING TO THE COSTS OF HOLDING SPECIAL ELECTIONS; AMENDING SECTION 40-1409, IDAHO CODE, TO PROVIDE THAT ELECTIONS SHALL BE PAID BY THE COUNTY WITHOUT PROVISION FOR PRORATING THE EXPENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1416, IDAHO CODE, TO PROVIDE THAT COSTS OF ELECTIONS HELD TO APPROVE A HIGHWAY DISTRICT VEHICLE REGISTRATION FEE SHALL BE PAID BY THE COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-1418, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-1506, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OF ELECTION JUDGES BY THE COUNTY CLERK; AMENDING SECTION 40-1507, IDAHO CODE, TO CLARIFY PROCEDURE FOR NOTICE OF ELECTION BY THE COUNTY CLERK AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1508, IDAHO CODE, TO CLARIFY PROCEDURE FOR HOLDING ELECTIONS OF CONSOLIDATION OF HIGHWAY DISTRICTS; AMENDING SECTION 40-1511, IDAHO CODE, TO CLARIFY PROCEDURE FOR COUNTING THE VOTES

IN AN ELECTION OF CONSOLIDATION OF HIGHWAY DISTRICTS; AMENDING SECTION 40-1519, IDAHO CODE, TO PROVIDE THAT THE EXPENSES OF CONDUCTING AN ELECTION TO CONSOLIDATE HIGHWAY DISTRICTS SHALL BE PAID BY THE COUNTY WITHOUT PROVISION FOR PRORATING THE EXPENSE; AMENDING SECTION 40-1605, IDAHO CODE, TO REQUIRE THAT ELECTIONS BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1606, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN ELECTIONS TO DETACH TERRITORY OF A HIGHWAY DISTRICT; AMENDING SECTION 40-1607, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTIONS 40-1624 AND 40-1625, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO ANNEX CONTIGUOUS TERRITORY OF A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1626, IDAHO CODE, TO PROVIDE THAT ELECTION DATES TO ANNEX TERRITORY OF A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1630, IDAHO CODE, TO PROVIDE THAT COSTS OF THE ELECTION SHALL BE PAID BY THE COUNTY OR COUNTIES CONDUCTING THE ELECTION; AMENDING SECTION 40-1702, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY BOARD OF CANVASSERS IN ELECTIONS TO REORGANIZE A COUNTY HIGHWAY DISTRICT AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-1714, IDAHO CODE, TO PROVIDE THAT THE EXPENSE OF ELECTIONS HELD TO REORGANIZE A COUNTY HIGHWAY DISTRICT SHALL BE PAID BY THE COUNTY; AMENDING SECTION 40-1805, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO DISSOLVE A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1806, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY COMMISSIONERS IN ELECTIONS HELD TO DISSOLVE A HIGHWAY DISTRICT; AMENDING SECTION 40-1808, IDAHO CODE, TO PROVIDE THAT IN ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT THE COUNTY CLERK SHALL APPOINT ELECTION JUDGES AND CLERKS AND THAT ELECTIONS SHALL BE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 40-1809, IDAHO CODE, TO PROVIDE FOR COUNTING AND CANVASSING VOTES IN ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT; AMENDING SECTION 40-1810, IDAHO CODE, TO PROVIDE THAT EXPENSES OF ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT SHALL BE BORNE BY THE COUNTY; AMENDING SECTION 42-3211, IDAHO CODE, TO PROVIDE THE DATE OF ELECTIONS IN WATER AND SEWER DISTRICTS AND TO PROVIDE DUTIES OF THE COUNTY CLERK; REPEALING SECTION 50-211, IDAHO CODE, RELATING TO SUPERVISION OF MUNICIPAL ELECTIONS; AMENDING SECTION 50-402, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-403, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK REGARDING MUNICIPAL ELECTIONS; REPEALING SECTIONS 50-404, 50-405, 50-406, 50-407, 50-408, 50-409, 50-410, 50-411 AND 50-412, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS AS CONDUCTED BY THE CITY CLERK; AMENDING SECTION 50-414,

IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE REGISTRATION PROVISIONS AND TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTIONS 50-415, 50-427 AND 50-428, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS; AMENDING SECTION 50-429, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE AUTHORIZED DATES FOR MUNICIPAL ELECTIONS BEGINNING JANUARY 1, 2011, TO PROVIDE THAT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTIONS 50-430 AND 50-431, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 50-432, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-435, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTIONS 50-436, 50-437, 50-438, 50-439, 50-440, 50-441, 50-442, 50-443, 50-445, 50-446, 50-447, 50-448, 50-449, 50-450, 50-451, 50-452, 50-453, 50-454, 50-455, 50-456, 50-457, 50-458, 50-459, 50-460, 50-461, 50-462, 50-463, 50-464, 50-465 AND 50-466, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS AS CONDUCTED BY THE CITY CLERK; AMENDING SECTION 50-467, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-468, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTIONS 50-469 AND 50-470, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 50-471, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 50-472, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 50-473, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 50-474, IDAHO CODE, RELATING TO VOTING BY MACHINE OR VOTE TALLY SYSTEM IN MUNICIPAL ELECTIONS; AMENDING SECTION 50-475, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR APPLICATION OF ELECTION LAW VIOLATIONS TO ALL MUNICIPAL ELECTIONS; AMENDING SECTION 50-477, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 50-612, IDAHO CODE, TO PROVIDE THAT RUNOFF MUNICIPAL MAYORAL ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 50-707B, IDAHO CODE, TO PROVIDE THAT RUNOFF MUNICIPAL COUNCIL SEAT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 50-803, IDAHO CODE, TO PROVIDE AUTHORIZED DATES FOR HOLDING A MUNICIPAL ELECTION TO ADOPT THE COUNCIL-MANAGER PLAN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-806, IDAHO CODE, TO PROVIDE THAT CERTAIN ELECTIONS SHALL BE HELD AT THE SAME ELECTION, TO PROVIDE PROCEDURE UPON FAILURE OF A PROPOSITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-1026, IDAHO CODE, TO PROVIDE THAT MUNICIPAL ELECTIONS TO AUTHORIZE ISSUANCE OF COUPON BONDS SHALL BE CONDUCTED BY THE COUNTY CLERK ON AUTHORIZED DATES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-1035, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN CERTAIN

MUNICIPAL ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2104, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CONSOLIDATE CITIES SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE; AMENDING SECTION 50-2105, IDAHO CODE, TO REVISE PROVISIONS FOR CONSOLIDATION ELECTIONS; AMENDING SECTION 50-2106, IDAHO CODE, TO PROVIDE FOR CERTIFICATION OF A MUNICIPAL CONSOLIDATION ELECTION BY THE COUNTY CLERK; AMENDING SECTION 50-2107, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF OFFICERS IN A NEWLY CONSOLIDATED CITY SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE; AMENDING SECTION 50-2114, IDAHO CODE, TO PROVIDE THAT EXPENSES OF A MUNICIPAL CONSOLIDATION ELECTION SHALL BE PAID BY THE COUNTY; AMENDING SECTION 50-2201, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2202, IDAHO CODE, TO REVISE PROCEDURES; AMENDING SECTION 50-2203, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES IN ELECTIONS TO DISINCORPORATE A CITY; AMENDING SECTION 50-2204, IDAHO CODE, TO PROVIDE A DUTY OF THE COUNTY BOARD OF COMMISSIONERS IN AN ELECTION TO DISINCORPORATE A CITY; AMENDING SECTION 50-2302, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO ORGANIZE A CITY SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2303, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN AN ELECTION TO ORGANIZE A CITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2308, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 63-316, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-802C, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CREATE A NEW TAXING DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND TO PROVIDE FOR POSTING OF A BOND TO COVER COSTS OF THE ELECTION; AMENDING SECTION 63-1309, IDAHO CODE, TO PROVIDE THAT THE INTERVAL BETWEEN CERTAIN TYPES OF ELECTIONS IN WHICH THE QUESTION FIRST FAILED AND A SUBSEQUENT ELECTION ON THE SAME OR SIMILAR QUESTION SHALL BE FIVE MONTHS INSTEAD OF SIX MONTHS, TO PROVIDE THAT THE DATE OF SUCH ELECTION SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE MONETARY DISTRIBUTIONS TO COUNTIES FROM SALES TAX REVENUES TO DEFRAY EXPENSES OF COUNTIES IN CONDUCTING ELECTIONS, TO REQUIRE COUNTIES TO ESTABLISH A SPECIAL ELECTION FUND, TO SPECIFY USE OF REVENUES IN THE FUND, TO REVISE REVENUE SHARING PERCENTAGES GOING TO CITIES AND COUNTIES AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-3641, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 63-4103, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY COMMISSIONERS AND THE COUNTY CLERK IN ELECTIONS TO DISSOLVE A SPECIAL DISTRICT AND TO DELETE CODE REFERENCES;

AMENDING SECTION 67-4907, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY BOARD OF CANVASSERS IN AUDITORIUM DISTRICT ELECTIONS; AMENDING SECTION 67-4911, IDAHO CODE, TO PROVIDE THAT THE BIENNIAL ELECTIONS OF AN AUDITORIUM DISTRICT SHALL BE HELD IN ODD-NUMBERED YEARS, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE BOARD OF COUNTY COMMISSIONERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4922, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF AUDITORIUM DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-4923, IDAHO CODE, TO PROVIDE THAT NOTICE OF AN AUDITORIUM DISTRICT ELECTION TO AUTHORIZE A LEVY SHALL BE CONDUCTED AS PRESCRIBED IN CHAPTER 14, TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-4924, IDAHO CODE, TO PROVIDE FOR CONDUCTING THE ELECTION AND CANVASSING THE RETURNS OF AN AUDITORIUM DISTRICT ELECTION; AMENDING SECTION 67-4929, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO INCLUDE OR EXCLUDE PROPERTY WITHIN AN AUDITORIUM DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4930, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO DISSOLVE AN AUDITORIUM DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 70-1210, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PORT DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO DELETE OBSOLETE PROVISIONS; AMENDING SECTION 70-1215, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PORT DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 70-1217, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY COMMISSIONERS AND THE COUNTY CLERK IN ELECTIONS OF PORT DISTRICTS; AMENDING SECTION 70-1219, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES IN ELECTIONS OF PORT DISTRICTS; AMENDING SECTION 70-1220, IDAHO CODE, TO PROVIDE FOR PAYMENT OF EXPENSES IN PORT DISTRICT ELECTIONS; AND PROVIDING EFFECTIVE DATES AND PROVIDING FOR REPORTS. REPEALING SECTION 40-1402, IDAHO CODE,

H 201 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 24, H 14, as amended, **H 32**, as amended, and **H 65**, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

HCR 21, by Environment, Energy, and Technology Committee, was read the second time by title and filed for third reading.

H 101, H 128, and **H 129**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 38 and **H 44**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

H 96, H 155, and **H 154**, as amended, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

S 1079, by Education Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 157** retain its place on the Third Reading Calendar until Monday, March 2, 2009. There being no objection, it was so ordered.

H 88 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cronin to open debate.

The question being, "Shall **H 88** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Block, Nielsen, Patrick, Roberts, Shepherd(08), Shirley, Thompson. Total – 7.

Total – 70.

Whereupon the Speaker declared that **H 88** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 89 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cronin to open debate.

The question being, "Shall **H 89** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher,

Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Block, Nielsen, Patrick, Roberts, Shepherd(08), Shirley, Thompson. Total – 7.

Total – 70.

Whereupon the Speaker declared that **H 89** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 90 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall **H 90** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Barrett, Harwood, Mathews. Total – 3.

Absent and excused – Anderson, Block, Nielsen, Nonini, Patrick, Roberts, Shepherd(08), Shirley, Thompson, Wills. Total – 10.

Total – 70.

Whereupon the Speaker declared that **H 90** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 91 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jarvis to open debate.

The question being, "Shall **H 91** pass?"

Roll call resulted as follows:

AYES – Bayer, Bell, Bilbao, Black, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Mathews, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Smith(30), Smith(24), Stevenson, Takasugi, Trail, Wood(27), Mr. Speaker. Total – 38.

NAYS – Andrus, Barrett, Bedke, Boyle, Clark, Hagedorn, Hart, Hartgen, Harwood, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Palmer, Raybould, Simpson, Thayne, Wood(35). Total – 22.

Absent and excused – Anderson, Block, Nielsen, Nonini, Patrick, Roberts, Shepherd(08), Shirley, Thompson, Wills. Total – 10.

Total – 70.

Whereupon the Speaker declared that **H 91** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 92** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 109 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 109** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Trail, Wood(27), Mr. Speaker. Total – 58.

NAYS – Barrett, Loertscher, Wood(35). Total – 3.

Absent and excused – Anderson, Block, Nielsen, Nonini, Patrick, Shepherd(08), Shirley, Thompson, Wills. Total – 9.

Total – 70.

Whereupon the Speaker declared that **H 109** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 59 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 59** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Block, Nielsen, Patrick, Shepherd(08), Shirley, Thompson. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 59** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 60 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall **H 60** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche,

Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Bedke, Block, Nielsen, Patrick, Shepherd(08), Shirley, Thompson. Total – 7.

Total – 70.

Whereupon the Speaker declared that **H 60** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 70 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 70** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Bedke, Block, Nielsen, Patrick, Shepherd(08), Shirley, Thompson. Total – 7.

Total – 70.

Whereupon the Speaker declared that **H 70** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 71 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Burgoyne to open debate.

The question being, "Shall **H 71** pass?"

Roll call resulted as follows:

AYES – Bedke, Black, Boe, Bolz, Burgoyne, Chavez, Chew, Clark, Crane, Cronin, Gibbs, Higgins, Jaquet, Killen, King, Lake, McGeachin, Nielsen, Pasley-Stuart, Pence, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Smith(30), Smith(24), Stevenson, Takasugi, Trail, Wills, Wood(27). Total – 33.

NAYS – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Boyle, Chadderdon, Collins, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, Moyle, Nonini, Palmer, Raybould, Schaefer, Shepherd(08), Simpson, Thayn, Thompson, Wood(35), Mr. Speaker. Total – 34.

Absent and excused – Block, Patrick, Shirley. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 71** failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, February 27, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:06 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 27, 2009**

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 59 members present.

Absent and excused – Anderson, Andrus, Block, Durst, Lake, Loertscher, Pence, Raybould, Shirley, Simpson, Smith(24).
Total – 11.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Keisha Hale, Page.

Approval of Journal

February 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

February 26, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 20

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

February 26, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 22, H 66, H 67, and H 80

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

February 26, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1018** and **S 1041** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1018** and **S 1041** and, when so signed, ordered them returned to the Senate.

February 26, 2009

Mr. Speaker:

I return herewith enrolled **HCR 17**, **H 85**, and **H 86** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 17** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 85** and **H 86** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 26, 2009

Mr. Speaker:

I transmit herewith **S 1100**, **S 1106**, **S 1111**, and **S 1117** which have passed the Senate.

WOOD, Secretary

S 1100, **S 1106**, **S 1111**, and **S 1117** were filed for first reading.

Report of Standing Committees

February 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 201**.

CLARK, Chairman

H 201 was referred to the State Affairs Committee.

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 2** to the Secretary of State at 12:58 p.m., as of this date, February 26, 2009.

CLARK, Chairman

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 9**, **H 18**, **H 28**, and **H 1** to the Governor at 1 p.m., as of this date, February 26, 2009.

CLARK, Chairman

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 194** and **H 185** and recommend that they do pass.

LOERTSCHER, Chairman

H 194 and **H 185** were filed for second reading.

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 160** and recommend that it do pass.

LAKE, Chairman

H 160 was filed for second reading.

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **S 1052** and recommend that it do pass.

TRAIL, Chairman

S 1052 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Regular Session of the Sixtieth Idaho Legislature. Seconded by Mr. Rusche.

Pages:

Anna Richter
Taleesha Willie
Keisha Hale
Spencer Powell
Andres Figueroa
Breana Rojas

Philip Alexander
Brigham Duncan
Kristina Bassine
Gregorio Hernandez
Rachel Cueller

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 202 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE STATE FIRE MARSHAL; AMENDING SECTION 41-253, IDAHO CODE, TO PROVIDE FOR STRUCTURES, TO REVISE A REFERENCE, TO PROVIDE FOR ADOPTION OF LATER EDITIONS OF THE INTERNATIONAL FIRE CODE BY THE LEGISLATURE, TO REVISE APPLICABILITY PROVISIONS AND TO PROVIDE FOR ENFORCEMENT ACTIONS BY ASSISTANTS

RELATING TO SPECIFIED PROPERTY; AMENDING CHAPTER 2, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-253A, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR THE STATE FIRE MARSHAL; AMENDING SECTION 41-254, IDAHO CODE, TO PROVIDE THAT THE STATE FIRE MARSHAL SHALL HAVE CERTAIN POWERS AND DUTIES OVER BUILDINGS, STRUCTURES AND PREMISES OWNED OR LEASED BY THE STATE OR ITS POLITICAL SUBDIVISIONS AND TO DELETE CERTAIN POWERS AND DUTIES; AMENDING SECTION 41-255, IDAHO CODE, TO PROVIDE THAT THE STATE FIRE MARSHAL SHALL TRANSMIT SPECIFIED ANNUAL REPORTS TO THE GOVERNOR AND LEGISLATURE; AND AMENDING SECTION 41-259, IDAHO CODE, TO REVISE INSPECTION PROVISIONS AND TO PROVIDE THAT COUNTIES AND CITIES MAY CONTRACT WITH THE STATE FIRE MARSHAL TO PROVIDE INSPECTIONS.

HOUSE BILL NO. 203 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO TAXATION OF RENEWABLE ENERGY PROJECTS; AMENDING SECTION 63-602JJ, IDAHO CODE, TO PROVIDE THAT CERTAIN PROPERTY OF A PRODUCER OF ELECTRICITY BY MEANS OF RENEWABLE ENERGY IS EXEMPT FROM TAXATION AND TO DEFINE "RENEWABLE ENERGY"; AMENDING SECTION 63-3501, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 63-3502B, IDAHO CODE, TO PROVIDE FOR LEVY OF A TAX ON RENEWABLE ENERGY ELECTRICAL PRODUCTION; AMENDING SECTION 63-3503B, IDAHO CODE, TO PROVIDE FOR FILING OPERATORS' STATEMENTS AND THE ALLOTMENT AND APPORTIONMENT OF TAX DUE FROM PRODUCERS OF ELECTRICITY BY MEANS OF RENEWABLE ENERGY BY THE STATE TAX COMMISSION; AMENDING SECTION 63-3504, IDAHO CODE, TO PROVIDE REFERENCES TO A PRODUCER OF ELECTRICITY BY MEANS OF RENEWABLE ENERGY; AMENDING SECTION 63-3505, IDAHO CODE, TO PROVIDE REFERENCE TO A PRODUCER OF ELECTRICITY BY MEANS OF RENEWABLE ENERGY; AMENDING SECTION 63-3506, IDAHO CODE, TO PROVIDE REFERENCE TO A PRODUCER OF ELECTRICITY BY MEANS OF RENEWABLE ENERGY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 204 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3029, IDAHO CODE, TO PROVIDE THAT RESIDENT TRUSTS CAN CLAIM A CREDIT FOR TAXES PAID TO ANOTHER STATE AND TO REVISE PROCEDURES FOR TAXATION OF AN ESTATE OR TRUST; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING FURTHER APPLICATION TO PROCEEDINGS.

HOUSE BILL NO. 205 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO ELECTION OF HIGHWAY DISTRICT COMMISSIONERS; AMENDING CHAPTER 13, TITLE 40,

IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-1305B, IDAHO CODE, TO PROVIDE PROCEDURES IN ANY ELECTION FOR A HIGHWAY DISTRICT COMMISSIONER IF THERE IS ONLY ONE QUALIFIED CANDIDATE NOMINATED.

HOUSE BILL NO. 206
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO HIGHWAY DISTRICT COMMISSIONERS; AMENDING SECTION 40-1325, IDAHO CODE, TO PROVIDE THAT HIGHWAY DISTRICT COMMISSIONERS SHALL, PRIOR TO CERTIFYING A PROPERTY TAX LEVY TO THE COMMISSIONERS AND A COUNTY ASSESSOR, ADOPT A BUDGET AND CAUSE A PUBLIC HEARING TO BE HELD ON THE BUDGET AND TO PROVIDE CORRECT TERMINOLOGY; AND REPEALING SECTION 40-1329, IDAHO CODE, RELATING TO COMPLETION AND FINALIZATION OF A BUDGET.

HOUSE BILL NO. 207
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO MISCELLANEOUS PROVISIONS REGARDING HIGHWAYS AND BRIDGES; AMENDING SECTION 40-2301, IDAHO CODE, TO PROVIDE THAT AGENTS AND EMPLOYEES OF THE TRANSPORTATION BOARD, COUNTY COMMISSIONERS AND HIGHWAY DISTRICT COMMISSIONERS SHALL HAVE THE RIGHT TO ENTER UPON ANY LAND TO MAKE SURVEYS, ENVIRONMENTAL ASSESSMENTS, RELOCATION ASSESSMENTS, OR APPRAISALS OF SUCH LANDS.

HOUSE BILL NO. 208
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602PP, IDAHO CODE, TO PROVIDE THAT A RENEWABLE ENERGY DEVICE ATTACHED TO RESIDENTIAL PROPERTY SHALL BE EXEMPT FROM TAXATION, TO DEFINE TERMS, TO PROVIDE FOR A LIMITED SUNSET DATE, TO PROVIDE THAT THE EXEMPTION IS NECESSARY AND JUST, AND TO PROVIDE AN EXCEPTION TO THE LIMITED SUNSET DATE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 209
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO EXEMPTIONS FROM PROPERTY TAXATION; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602OO, IDAHO CODE, TO PROVIDE THAT CERTAIN ENERGY PROPERTY SHALL BE EXEMPT FROM TAXATION, TO PROVIDE APPLICATION IF THE PROPERTY IS EXEMPT FROM TAXATION BY OTHER LAW, TO PROVIDE APPLICATION, TO PROVIDE THAT THE EXEMPTION IS NECESSARY AND JUST, TO PROVIDE A SUNSET DATE AND TO PROVIDE AN EXCEPTION TO THIS SUNSET DATE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 202, H 203, H 204, H 205, H 206, H 207, H 208, and H 209 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1100, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1106, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1111, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1117, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 18 and **HJM 1**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

H 41, H 42, H 75, H 108, and H 192, by Business Committee, were read the second time by title and filed for third reading.

H 87, H 103, H 104, and H 105, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 2, 2009. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, March 2, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 9:27 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, MARCH 2, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Roberts. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kristina Bassine, Page.

Approval of Journal

March 2, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-seventh Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Robert E. Schaefer, State Representative, District 12, House Seat A, Canyon County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Theresa Kupser of Nampa, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, C. L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Theresa Kupser, Acting State Representative, District 12, House Seat A, Canyon County, State of Idaho, for a term commencing on March 2, 2009, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 27th day of February, in the year of our Lord two thousand nine and of the Independence of the United States of America, the two hundred thirty-third year.

/s/ C. L. "BUTCH" OTTER
Governor
/s/ BEN YSURSA
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Theresa Kupser.

February 27, 2009

Mr. Speaker:

I transmit herewith **SP 101**, **S 1113**, **S 1056**, as amended, **S 1060**, as amended, and **S 1059**, as amended, which have passed the Senate.

WOOD, Secretary

SP 101, **S 1113**, **S 1056**, as amended, **S 1060**, as amended, and **S 1059**, as amended, were filed for first reading.

Report of Standing Committees

March 2, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 202**, **H 203**, **H 204**, **H 205**, **H 206**, **H 207**, **H 208**, and **H 209**.

CLARK, Chairman

H 202 was referred to the State Affairs Committee.

H 203, **H 204**, **H 208**, and **H 209** were referred to the Revenue and Taxation Committee.

H 205, **H 206**, and **H 207** were referred to the Transportation and Defense Committee.

February 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 17** to the Secretary of State at 10:09 a.m., as of this date, February 27, 2009.

CLARK, Chairman

February 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 85** and **H 86** to the Governor at 10:15 a.m., as of this date, February 27, 2009.

CLARK, Chairman

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 55** and recommend that it do pass.

BLOCK, Chairman

H 55 was filed for second reading.

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 146** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

H 146 was placed on General Orders for consideration.

March 2, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 193** and **H 199** and recommend that they do pass.

NONINI, Chairman

H 193 and **H 199** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

House of Representatives
State of Idaho

February 27, 2009

The Honorable Bert Stevenson
Resources and Conservation Committee

Dear Representative Stevenson:

I hereby designate the Resources and Conservation Committee a privileged committee on Tuesday, March 3, 2009, for the purpose of introducing RS 18733, approval of the Eastern Snake Plain Aquifer as a component of the Comprehensive State Water Plan.

Sincerely,
/s/ Lawrence Denney
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

SP 101, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1113, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1056, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1060, as amended, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1059, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 194 and **H 185**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 160, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

S 1052, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 157** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Clark asked unanimous consent that **HR 2** be returned to the Judiciary, Rules, and Administration Committee. There being no objection, it was so ordered.

Mr. Labrador asked unanimous consent that **H 155** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Black asked unanimous consent that **H 42** be returned to the Business Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **H 103** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 92 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **H 92** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Roberts, Smith(24), Wood(35).
Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 92** passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 14 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **HCR 14** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Roberts, Smith(24), Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared **HCR 14** adopted and ordered the resolution transmitted to the Senate.

HCR 24 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **HCR 24** be adopted?"

Roll call resulted as follows:

AYES – Barrett, Bedke, Bell, Block, Boe, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Hagedorn, Hart, Hartgen, Higgins, Jaquet, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 51.

NAYS – Anderson, Andrus, Bayer, Bilbao, Bolz, Eskridge, Gibbs, Harwood, Henderson, Jarvis, Kren, Pasley-Stuart, Pence, Shepherd(02), Shepherd(08). Total – 15.

Absent and excused – Black, Roberts, Smith(24), Wood(35). Total – 4.

Total – 70.

Whereupon the Speaker declared **HCR 24** adopted and ordered the resolution transmitted to the Senate.

HCR 21 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **HCR 21** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Black, Moyle, Roberts, Smith(24), Wood(35). Total – 5.

Total – 70.

Whereupon the Speaker declared **HCR 21** adopted and ordered the resolution transmitted to the Senate.

H 101 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 101** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Moyle, Roberts, Smith(24), Wood(35). Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 101** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 128 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 128** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Moyle, Roberts, Smith(24), Wood(35). Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 128** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 129 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 129** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche,

Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Moyle, Roberts, Smith(24), Wood(35).
Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 129** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 38 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall **H 38** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 62.

NAYS – Barrett, Harwood, Schaefer(Kupser), Shirley.
Total – 4.

Absent and excused – Moyle, Roberts, Smith(24), Wood(35).
Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 38** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 44 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall **H 44** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Harwood, Moyle, Roberts, Smith(24).
Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 44** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 96 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 96** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Roberts. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 96** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1079 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thayn to open debate.

The question being, "Shall **S 1079** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Roberts. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1079** passed the House. Title was approved and the bill ordered returned to the Senate.

H 14, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Simpson to open debate.

The question being, "Shall **H 14**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Schaefer(Kupser). Total – 1.

Absent and excused – Roberts. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 14**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 32, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall **H 32**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Roberts. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 32**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 65, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall **H 65**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Chavez, Pasley-Stuart, Ringo. Total – 3.

Absent and excused – Roberts. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 65**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 154, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jarvis to open debate.

The question being, "Shall **H 154**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Roberts. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 154**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 18 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **HCR 18** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Barrett, Bedke, Harwood. Total – 3.

Absent and excused – Roberts. Total – 1.

Total – 70.

Whereupon the Speaker declared **HCR 18** adopted and ordered the resolution transmitted to the Senate.

HJM 1 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Barrett to open debate.

The question being, "Shall **HJM 1** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ruchti, Rusche,

Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Pasley-Stuart, Ringo. Total – 2.
Absent and excused – Roberts. Total – 1.
Total – 70.

Whereupon the Speaker declared **HJM 1** adopted and ordered the memorial transmitted to the Senate.

H 41 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **H 41** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 67.

NAYS – Barrett, Wood(35). Total – 2.
Absent and excused – Roberts. Total – 1.
Total – 70.

Whereupon the Speaker declared that **H 41** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 75 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 75** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.
Absent and excused – Labrador, Roberts. Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 75** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 108 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 108** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Harwood, Thayn. Total – 2.
Absent and excused – Labrador, Roberts. Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 108** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 192 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mathews to open debate.

The question being, "Shall **H 192** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Rusche, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Burgoyne, Durst, Killen, Ruchti. Total – 4.
Absent and excused – Labrador, Roberts, Sayler. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 192** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 87 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 87** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Labrador, Roberts, Sayler. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 87** passed the House.
Title was approved and the bill ordered transmitted to the Senate.

H 104 was read the third time at length, section by section,
and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 104** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell,
Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,
Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge,
Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins,
Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker,
Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini,
Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti,
Rusche, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley,
Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn,
Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 67.

NAYS – None.

Absent and excused – Labrador, Roberts, Sayler. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 104** passed the
House. Title was approved and the bill ordered transmitted to
the Senate.

H 105 was read the third time at length, section by section,
and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open
debate.

The question being, "Shall **H 105** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao,
Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,
Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge,
Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins,
Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker,
Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer,
Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti,
Rusche, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley,
Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn,
Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 65.

NAYS – Barrett, Moyle. Total – 2.

Absent and excused – Labrador, Roberts, Sayler. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 105** passed the
House. Title was approved and the bill ordered transmitted to
the Senate.

There being no objection, the House advanced to the
Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m.,
Tuesday, March 3, 2009. Seconded by Mr. Rusche. Motion
carried.

Whereupon the Speaker declared the House adjourned at
12:04 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, MARCH 3, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Collins, Roberts, Ruchti. Total – 3.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

March 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fiftieth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 3, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 1, H 9, H 18, H 28, H 85, and H 86

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

March 2, 2009

Mr. Speaker:

I transmit herewith **S 1080** and **S 1096** which have passed the Senate.

WOOD, Secretary

S 1080 and **S 1096** were filed for first reading.

Report of Standing Committees

March 2, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **S 1091** and recommend that it do pass.

LAKE, Chairman

S 1091 was filed for second reading.

March 2, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 145** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

H 145 was placed on General Orders for consideration.

March 2, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 125, H 126, H 127,** and **S 1070** and recommend that they do pass.

TRAIL, Chairman

H 125, H 126, H 127, and **S 1070** were filed for second reading.

March 3, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **SCR 103** and recommend that it be referred to the Environment, Energy, and Technology committee.

BLOCK, Chairman

SCR 103 was referred to the Environment, Energy, and Technology committee.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 25 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF STATUTORY PROVISIONS OF THE IDAHO CODE AND ANY APPLICABLE RULES RELATING TO THE SOIL CONSERVATION COMMISSION AND SOIL CONSERVATION DISTRICTS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, beginning in 1940, Soil Conservation Districts were being established in Idaho. Since that time, districts have been dedicated to conserving renewable resources and using sound management practices. Districts promote clean water and productive soils and strive to ensure that decisions on conservation problems are made at the local level by local people. There are fifty-one Soil Conservation Districts within the state of Idaho; and

WHEREAS, the Soil Conservation Commission was originally established in Idaho in 1939 as an independent

commission, with three members, all appointed by the governor, to help form and coordinate Soil Conservation Districts. In 1967, the members were increased to five; and

WHEREAS, in 1974, Idaho underwent a large-scale Executive Branch reorganization, and during this reorganization, the Soil Conservation Commission was placed within the Department of Lands; and

WHEREAS, in 1997, the commission was placed under the Department of Agriculture but the authority of the commission was left largely intact; and

WHEREAS, a full-scale review of all statutory provisions of the Idaho Code, and any applicable rules, relating to the Soil Conservation Commission and Soil Conservation Districts will serve to inform the Legislature of whether the provisions are sufficient to provide the authority, in relation to funding, management and all other powers and duties, upon which the commission and districts may operate as intended by the Legislature.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of statutory provisions of the Idaho Code, and any applicable rules, relating to the Soil Conservation Commission and Soil Conservation Districts. The purpose of the review is to determine whether the provisions are sufficient to provide the authority, in relation to funding, management and all other powers and duties, upon which the commission and districts may operate as intended by the Legislature. The committee shall consist of eight legislators, with four from the Senate and four from the House of Representatives. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the Legislative Council is authorized to also appoint ad hoc legislative members to serve on the committee.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations and proposed legislation.

BE IT FURTHER RESOLVED that the committee shall make a report detailing its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixtieth Idaho Legislature.

**HOUSE CONCURRENT RESOLUTION NO. 26
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE; AUTHORIZING AND ENCOURAGING THE IDAHO STATE HISTORICAL SOCIETY TO CONDUCT A STUDY OF IDAHO'S HISTORIC AGRICULTURAL BUILDINGS; AND ENCOURAGING THE IDAHO STATE HISTORICAL SOCIETY TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND TO THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Idaho historic agricultural buildings are witnesses to the role of agriculture in our state's history and its economy and serve as scenic landmarks for residents and visitors alike; and

WHEREAS, historic agricultural buildings across Idaho symbolize important Idaho values of heritage, hard work, productivity and an attachment to the land and the people who built them; and

WHEREAS, historic agricultural buildings uphold the historic rural qualities of Idaho's landscape, along with providing a picturesque atmosphere for the state's citizens and visitors to enjoy; and

WHEREAS, these structures provide insight into our distinctive agricultural history and heritage, as well as a visual description of Idaho rural life, both past and present; and

WHEREAS, the Idaho State Historical Society's State Historic Preservation Office and local historic preservation commissions across Idaho have recorded historic agricultural buildings for both the National Register of Historic Places and the Idaho Historic Sites Inventory; and

WHEREAS, while historic agricultural buildings are cherished by many Idaho residents and visitors, many can no longer produce the necessary income to prevent damage by decay or demolition, or the structures become threatened when the surrounding land is removed from active agricultural use; and

WHEREAS, as a result of such threats, the landscape of Idaho's agricultural environment is rapidly disappearing and with it an invaluable part of Idaho's history is also disappearing, as are opportunities for rural economic development; and

WHEREAS, many states, including Iowa, Washington, Vermont, New York and Illinois have enacted legislation creating preservation and restoration programs to assist owners of historic agricultural buildings with their efforts to preserve these cultural and architectural treasures for education, enjoyment, and the economic benefit of this and future generations.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho State Historical Society's State Historic Preservation Office, in consultation with the Idaho Department of Commerce, the Idaho Heritage Trust, Preservation Idaho, and such other entities as the Idaho State Historical Society deems necessary, is authorized and encouraged to conduct a study of Idaho historic agricultural buildings, including:

- (1) Current historic agricultural restorations and preservation efforts and needs in Idaho;
- (2) The benefits that a historic agricultural building restoration and preservation program in Idaho could have on tourism and other economic development activities in rural areas; and
- (3) Programs and incentives in place in other states to promote historic agricultural building restoration and preservation.

BE IT FURTHER RESOLVED that the Idaho State Historical Society is encouraged to report its findings and recommendations for Idaho's efforts to better record and preserve Idaho historic agricultural buildings to the Governor and the Legislature by December 31, 2010.

**HOUSE CONCURRENT RESOLUTION NO. 27
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING SUPPORT FOR EXISTING AND NEW INNOVATIVE PRACTICES AND APPROACHES TO PUBLIC EDUCATION IN A TIME OF ECONOMIC UNCERTAINTY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Idaho and the nation have entered unsettled economic times that may reduce tax revenues for years to come; and

WHEREAS, an educated citizenry is necessary for the continuation of a republican form of limited government; and

WHEREAS, the current economic crisis requires legislators and educators to consider innovative approaches to public education that will maintain or improve current academic successes while possibly operating with fewer funds; and

WHEREAS, a cost-effective and quality education system requires active cooperation between students, parents and teachers; and

WHEREAS, clear and concise goals give unified purpose and direction and create a more efficient public education system.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we:

(1) Encourage the Idaho State Department of Education and the Idaho State Board of Education to work with local school districts and local school boards to find ways to improve educational outcomes even in times of reduced funding;

(2) Support efforts that ensure as many resources as possible reach the classroom where they best serve the students;

(3) Seek to boost student academic achievement by increasing student desire to learn and enabling parents to become more active in the learning process;

(4) Consider wise policies that improve educational outcomes while giving school districts more flexibility.

BE IT FURTHER RESOLVED that the Legislature of the State of Idaho encourage support for existing innovative school practices and for the consideration of new ideas including, but not limited to:

(1) Grade acceleration exit exams to encourage students who have demonstrated academic readiness to move ahead by subject matter or by grade level;

(2) Early graduation for students who have demonstrated that they are college ready, and consider options that may allow a portion of the money that would have been expended to follow students to their next level of education;

(3) The exploration of other innovations that lead to greater student academic achievement and school improvement;

(4) The strengthening of programs, when possible, to ensure every student graduates with a marketable skill.

HCR 25, HCR 26, and HCR 27 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1080, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1096, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 55, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 193 and H 199, by Education Committee, were read the second time by title and filed for third reading.

SP 101, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Nonini asked unanimous consent that **H 157** be placed on General Orders for consideration. There being no objection it was so ordered.

Mr. Labrador asked unanimous consent that **H 155** be placed on General Orders for consideration. There being no objection it was so ordered.

Mr. Lake asked unanimous consent that **H 160** be placed on General Orders for consideration. There being no objection it was so ordered.

H 103 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Labrador to open debate.

The question being, "Shall **H 103** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Collins, Roberts, Ruchti. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 103** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 194 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall **H 194** pass?"

Pursuant to Rule 38(3), Mr. Gibbs disclosed a conflict of interest regarding **H 194**.

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boyle, Chadderdon, Clark, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Loertscher, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 47.

NAYS – Boe, Bolz, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Killen, King, Lake, Luker, Marriott, Pasley-Stuart, Ringo, Rusche, Sayler, Smith(30), Smith(24), Thayn. Total – 20.

Absent and excused – Collins, Roberts, Ruchti. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 194** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 185 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 185** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 67.

NAYS – None.

Absent and excused – Collins, Roberts, Ruchti. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 185** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bill on the Third Reading Calendar retain its place for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, March 4, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12 noon

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, MARCH 4, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – McGeachin, Roberts. Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Andres Figueroa, Page.

Approval of Journal

March 4, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-first Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 3, 2009

Mr. Speaker:

I transmit herewith **S 1088, S 1114, S 1115, S 1022, S 1110, S 1078, S 1121, S 1051**, as amended, **S 1053**, as amended, **S 1017**, as amended, as amended, and **SJR 101** which have passed the Senate.

WOOD, Secretary

S 1088, S 1114, S 1115, S 1022, S 1110, S 1078, S 1121, S 1051, as amended, **S 1053**, as amended, **S 1017**, as amended, as amended, and **SJR 101** were filed for first reading.

March 3, 2009

Mr. Speaker:

I return herewith **HCR 13** which has passed the Senate.

WOOD, Secretary

HCR 13 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 4, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 25, HCR 26, and HCR 27**.

CLARK, Chairman

HCR 25 and HCR 26 were referred to the Agricultural Affairs Committee.

HCR 27 was referred to the Education Committee.

March 3, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 201** and recommend that it do pass.

LOERTSCHER, Chairman

H 201 was filed for second reading.

March 3, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **SCR 105, SCR 104, and SCR 106** and recommend that they do pass.

STEVENSON, Chairman

SCR 105, SCR 104, and SCR 106 were filed for second reading.

March 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 107, H 179, H 184, and H 168** and recommend that they do pass.

CLARK, Chairman

H 107, H 179, H 184, and H 168 were filed for second reading.

March 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 178** and report it back with amendments attached to be placed on General Orders for consideration.

CLARK, Chairman

H 178 was placed on General Orders for consideration.

March 3, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 169, H 170, H 188, H 189, H 190, and H 191** and recommend that they do pass.

BLACK, Chairman

H 169, H 170, H 188, H 189, H 190, and H 191 were filed for second reading.

March 3, 2009

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 43** and **S 1075** and recommend that they do pass.

SCHAEFER, Chairman

H 43 and **S 1075** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 4 BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, Section 2, Article I, of the Constitution of the State of Idaho, sets forth the Declaration of Rights and reads as follows: "All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter, reform or abolish the same whenever they may deem it necessary; and no special privileges or immunities shall ever be granted that may not be altered, revoked, or repealed by the legislature."; and

WHEREAS, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."; and

WHEREAS, the Tenth Amendment defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

WHEREAS, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

WHEREAS, today, in 2009, the states are demonstrably treated as agents of the federal government; and

WHEREAS, many federal mandates are directly in violation of the Tenth Amendment to the Constitution of the United States; and

WHEREAS, the United States Supreme Court has ruled in *New York v. United States*, 505 U.S. 144 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

WHEREAS, Congress has inappropriately delegated its monetary authority to the private federal reserve bank, thus failing to protect and provide a sound monetary system as defined and mandated by the Constitution of the United States, forcing an unstable currency on us resulting in the past, and the current, economic perils; and

WHEREAS, a number of proposals from past and present Administrations and Congress may violate the Constitution of the United States.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein,

that the state of Idaho hereby claims sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States.

BE IT FURTHER RESOLVED that this serves as notice and demand to the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of these constitutionally delegated powers.

BE IT FURTHER RESOLVED that all compulsory federal legislation that directs states to comply under threat of civil or criminal penalties or sanctions, or requires states to pass legislation or lose federal funding, be prohibited.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HOUSE CONCURRENT RESOLUTION NO. 28 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND SUPPORTING THE PLANNING AND CONSTRUCTION OF NEW FIBER OR WIRELESS COMMUNICATIONS FACILITIES THROUGHOUT THE STATE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature recognizes that modern advanced broadband telecommunications services are critical to the needs of the citizens of Idaho; and

WHEREAS, advanced fiber transport facilities are necessary for the provision of such services; and

WHEREAS, the communications facilities currently in place in rural areas are vital to the connectivity and communications of citizens in rural Idaho with the outside world; and

WHEREAS, more aggressive broadband is necessary for robust economic development and the current environment is a deterrent to growth; and

WHEREAS, the current communications facilities are inadequate or nonexistent in many areas of rural Idaho and can hamper public safety along with economic development; and

WHEREAS, the expedited construction of new modern fiber or wireless communications facilities is in the best interests of the citizens of Idaho; and

WHEREAS, the representatives of numerous affected local communities, as well as the Governor of the state of Idaho, strongly support such efforts and it would be in the public interest if the state of Idaho could serve as an aggregator among public and private interests to increase broadband opportunity in this state; and

WHEREAS, other states have made significant progress in forming successful public-private partnerships to bring broadband telecommunications to their remote or rural areas with programs like Connect Kentucky or Connect Indiana; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we strongly support the state of Idaho in creating a business climate to expedite the construction and installation of broadband throughout the state of Idaho.

BE IT FURTHER RESOLVED that the state of Idaho, other government agencies and broadband providers are requested to provide such support as is available to this endeavor including, expedited review and processing of any needed permits and licenses and to focus resources and coordinate with each other and commit to changing the broadband environment in this state within the next two years.

HJM 4 and **HCR 28** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 210
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO THE COMPREHENSIVE STATE WATER PLAN; PROVIDING THAT THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN FOR THE EASTERN SNAKE PLAIN AQUIFER IS APPROVED AS A COMPONENT OF THE COMPREHENSIVE STATE WATER PLAN, TO PROVIDE THAT THE IDAHO WATER RESOURCE BOARD SHALL PREPARE AND SUBMIT TO THE LEGISLATURE FOR APPROVAL A FUNDING MECHANISM AND ANY SUBSEQUENT PROPOSED CHANGES TO THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN, TO PROVIDE THAT IMPLEMENTATION OF PHASE I OF THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN IS SUBJECT TO LEGISLATIVE APPROVAL OF A FUNDING MECHANISM, TO PROVIDE THAT PROVISIONS DO NOT CONSTITUTE AN OBLIGATION OF STATE FUNDS, TO PROVIDE THAT ANY STATE FUNDING SHALL BE SUBJECT TO THE AVAILABILITY OF FUNDS AND TO PROVIDE FOR THE USE OF PREVIOUSLY APPROPRIATED FUNDS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 211
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO RESIDENCY REQUIREMENTS FOR PUBLIC INSTITUTIONS OF HIGHER EDUCATION; AMENDING SECTION 33-3717B, IDAHO CODE, TO REVISE THE DEFINITION OF "RESIDENT STUDENT"; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 212
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5205, IDAHO CODE, TO PROVIDE FOR NOTICE RELATING TO A PETITION FOR A NON-VIRTUAL PUBLIC CHARTER SCHOOL, TO PROVIDE FOR CERTAIN COMMENTS, TO PROVIDE FOR NOTICE TO THE PUBLIC CHARTER SCHOOL COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 33-5209, IDAHO CODE, TO PROVIDE FOR A HEARING, TO PROVIDE FOR NOTICE TO THE BOARD OF THE LOCAL SCHOOL DISTRICT AND TO PROVIDE FOR CERTAIN COMMENTS.

H 210, **H 211**, and **H 212** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1088 and **S 1053**, as amended, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1114 and **S 1115**, by Health and Welfare Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1022, by Schroeder, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1110, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1051, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

SJR 101, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1078 and **S 1017**, as amended, as amended, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

S 1121, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1091, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

H 125, **H 126**, and **H 127**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

S 1070, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1052 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **S 1052** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – McGeachin, Roberts. Total – 2.

Total – 70.

Whereupon the Speaker declared that **S 1052** passed the House. Title was approved and the bill ordered returned to the Senate.

H 55 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall **H 55** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – McGeachin, Roberts. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 55** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 193 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 193** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Labrador, McGeachin, Roberts. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 193** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 5, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:32 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, MARCH 5, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Pasley-Stuart, Roberts. Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Breana Rojas, Page.

Approval of Journal

March 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 4, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1079** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1079** and, when so signed, ordered it returned to the Senate.

March 4, 2009

Mr. Speaker:

I transmit herewith **S 1084**, as amended, which has passed the Senate.

WOOD, Secretary

S 1084, as amended, was filed for first reading.

March 4, 2009

Mr. Speaker:

I return herewith **HCR 16** which has passed the Senate.

WOOD, Secretary

HCR 16 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 4, 2009

Mr. Speaker:

I return herewith **H 64**, as amended in the Senate, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 64, as amended in the Senate, as amended in the Senate, was ordered held at the Desk.

Mr. Collins asked unanimous consent that the House concur in the Senate amendments to **H 64**, as amended in the Senate, as amended in the Senate. There being no objection, it was so ordered.

H 64, as amended in the Senate, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HJM 4**, **HCR 28**, **H 210**, **H 211**, and **H 212**.

CLARK, Chairman

HJM 4 was referred to the State Affairs Committee.

HCR 28 was referred to the Environment, Energy, and Technology Committee.

H 210 was referred to the Resources and Conservation Committee.

H 211 and **H 212** were referred to the Education Committee.

March 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 13**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 13** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 4, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 46** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

H 46 was placed on General Orders for consideration.

March 4, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1073** and recommend that it do pass.

BLOCK, Chairman

S 1073 was filed for second reading.

March 4, 2009

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **SCR 103** and recommend that it do pass.

RAYBOULD, Chairman

SCR 103 was filed for second reading.

March 4, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 147** and **H 196** and recommend that they do pass.

WOOD, Chairman

H 147 and **H 196** were filed for second reading.

March 4, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 124** and recommend that it do pass.

TRAIL, Chairman

H 124 was filed for second reading.

March 5, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJM 3** and recommend that it do pass.

LOERTSCHER, Chairman

HJM 3 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 29

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE INDUSTRIAL COMMISSION RELATING TO MISCELLANEOUS PROVISIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Industrial Commission relating to Miscellaneous Provisions is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 17.02.08, rules governing Miscellaneous Provisions, rules of the Industrial Commission, adopted as a pending rule under Docket Number 17-0208-0802, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

HCR 29 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 213

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VESSELS; AMENDING CHAPTER 70, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7008A, IDAHO CODE, TO PROVIDE FOR ADDITIONAL FEES FOR SPECIFIED VESSELS, TO PROVIDE FOR CERTAIN STICKERS, TO PROVIDE FOR COLLECTION AND DEPOSIT OF FEES IN THE INVASIVE SPECIES FUND, TO DEFINE A TERM AND TO PROVIDE EXCEPTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 214

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO EARLY TERMINATION OF PREGNANCY; AMENDING SECTION 9-340C, IDAHO CODE, TO PROVIDE A PUBLIC RECORDS EXCEPTION; AMENDING CHAPTER 2, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-260A, IDAHO CODE, TO PROVIDE FOR CERTIFICATES OF EARLY FETAL DEATH.

HOUSE BILL NO. 215

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE TELECOMMUNICATIONS ACT OF 1988; AMENDING SECTION 62-610, IDAHO CODE, TO REVISE CERTAIN ELIGIBILITY REQUIREMENTS, TO PROVIDE A CODE REFERENCE, TO PROVIDE DISTRIBUTION FROM THE UNIVERSAL SERVICE FUND TO INDIVIDUAL ELIGIBLE TELECOMMUNICATIONS CARRIERS THAT MEET CERTAIN RESIDUAL REVENUE REQUIREMENTS, TO PROVIDE PURPOSES FOR DISTRIBUTIONS FROM THE FUND, TO PROVIDE DISTRIBUTIONS FROM THE FUND TO AN ELIGIBLE TELECOMMUNICATIONS CARRIER THAT MEETS CERTAIN REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 216

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PHARMACISTS AND PHARMACIES; AMENDING SECTION 37-3201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1705, IDAHO CODE, TO PROVIDE A DEFINITION OF "CONSCIENCE"; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1718A, IDAHO CODE, TO PROVIDE FREEDOM OF CONSCIENCE FOR PHARMACISTS, PHARMACIES AND INSTITUTIONS, TO PROVIDE IMMUNITY FROM LIABILITY, TO PROHIBIT DISCRIMINATION AND TO PROVIDE EXCEPTIONS; AMENDING SECTIONS 54-4702 AND 54-5110, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AND PROVIDING SEVERABILITY.

HOUSE BILL NO. 217
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO MOTOR VEHICLES, DEALERS AND SALESMEN LICENSING; AMENDING SECTION 49-1614, IDAHO CODE, TO REVISE TERMINOLOGY, TO DELETE PROVISIONS RELATING TO THE TERMINATION, NONRENEWAL OR CANCELLATION OF CERTAIN FRANCHISES, TO DELETE PROVISIONS RELATING TO FAIR AND REASONABLE COMPENSATION, TO DELETE PROVISIONS RELATING TO CERTAIN RENTAL PAYMENTS, TO PROVIDE THAT A MANUFACTURER SHALL NOT CANCEL, TERMINATE OR FAIL TO RENEW CERTAIN FRANCHISE AGREEMENTS UNLESS CERTAIN REQUIREMENTS ARE SATISFIED, TO PROVIDE PROVISIONS RELATING TO THE TERMINATION, CANCELLATION OR NONRENEWAL OF CERTAIN FRANCHISE AGREEMENTS, TO PROVIDE PROVISIONS RELATING TO THE REPURCHASE OF CERTAIN ITEMS, TO PROVIDE FOR CERTAIN COMPENSATION, TO PROVIDE PROVISIONS RELATING TO REPURCHASE WITHIN A CERTAIN TIME PERIOD, TO PROVIDE PROVISIONS RELATING TO A SECURITY INTEREST, TO PROVIDE EXCEPTIONS FOR THE APPLICATION OF LAW, TO PROVIDE FOR PENALTIES, TO PROVIDE FOR CERTAIN REIMBURSEMENTS, TO PROVIDE FOR APPLICATION OF LAW AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 218
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO BUILDING CODES; AMENDING SECTION 39-4109, IDAHO CODE, TO DELETE PROVISIONS RELATING TO CERTAIN INTERNATIONAL BUILDING CODE SECTIONS; AMENDING SECTION 39-4116, IDAHO CODE, TO EXEMPT CERTAIN BUILDINGS FROM CERTAIN PROVISIONS OF THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE.

HOUSE BILL NO. 219
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT AND THE IDAHO STATE POLICE; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE DISTRIBUTIONS FROM THE HIGHWAY DISTRIBUTION ACCOUNT, TO PROVIDE EFFECTIVE DATES AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING LEGISLATIVE INTENT.

HOUSE BILL NO. 220
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO THE DIVISION OF BUILDING SAFETY; AMENDING SECTION 39-4106, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO REVISE MEMBERSHIP OF THE IDAHO BUILDING CODE BOARD; AMENDING SECTION 39-4109, IDAHO CODE, TO ADOPT 2006 EDITIONS OF CERTAIN CODES, TO PROVIDE FOR ADOPTION OF SUBSEQUENT EDITIONS, TO MAKE A TECHNICAL CORRECTION, TO PROHIBIT CERTAIN AMENDMENTS, TO PROVIDE FOR AN EFFECTIVE DATE FOLLOWING CODE ADOPTION AND TO PROVIDE FOR HEARINGS; AMENDING SECTION 39-4116, IDAHO CODE,

TO PROVIDE FOR ADOPTION OF CERTAIN CODES, TO PROVIDE PROVISIONS RELATING TO THE ADOPTION OF CERTAIN CODES BY LOCAL JURISDICTIONS AND TO PROVIDE FOR HEARINGS AND NOTICE; AND DECLARING AN EMERGENCY.

H 213, H 214, H 215, H 216, H 217, H 218, H 219, and H 220 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1084, as amended, by Education Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 201, by State Affairs Committee, was read the second time by title and filed for third reading.

SCR 105, SCR 104, and SCR 106, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

H 107, H 179, H 184, and H 168, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

H 169, H 170, H 188, H 189, H 190, and H 191, by Business Committee, were read the second time by title and filed for third reading.

H 43, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

S 1075, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 5, 2009

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 146, H 145, H 157, H 155, H 160, and H 178** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 146

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 25, following "policies." insert: "Billing practices shall be transparent and understandable." and delete lines 29 through 32.

HOUSE AMENDMENT TO H.B. NO. 145**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, delete line 29 and insert:

"(6) "Person subject to this chapter" means all ~~adult~~ persons, except adults who may".

HOUSE AMENDMENT TO H.B. NO. 157**AMENDMENTS TO SECTION 1**

On page 1 of the printed bill, in line 19, following "Coordinate with" insert: "the Idaho digital learning academy as provided for in chapter 55, title 33, Idaho Code,"; in line 22, following "Coordinate with" insert: "the Idaho digital learning academy,"; and in line 32, following "and higher education," insert: "the Idaho digital learning academy,".

AMENDMENT TO SECTION 2

On page 3, in line 33, following "higher education" insert: "and the Idaho digital learning academy as provided for in chapter 55, title 33, Idaho Code."

CORRECTION TO TITLE

On page 1, in line 7, following "IDAHO CODE," insert: "TO REVISE AN IMPLEMENTATION PLAN THAT THE DEPARTMENT OF ADMINISTRATION SHALL FOLLOW,".

HOUSE AMENDMENT TO H.B. NO. 155**AMENDMENT TO SECTION 2**

On page 1 of the printed bill, in line 28, delete "a majority" and insert: "two-thirds (2/3)".

HOUSE AMENDMENT TO H.B. NO. 160**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 24, following "Idaho." insert: "Provided however, that any such election conducted pursuant to this section shall be held on election day in the month of May or November as provided for in section 34-106(1), Idaho Code."

CORRECTION TO TITLE

On page 1, in line 6, following "INDEBTEDNESS" insert: "AND TO PROVIDE CERTAIN DAYS FOR AN ELECTION".

HOUSE AMENDMENT TO H.B. NO. 178**AMENDMENT TO SECTION 1**

On page 2 of the printed bill, delete lines 25 through 29 and insert: "(13) "Residence" means the offender's present places of abode.".

BEDKE, Chairman

Mr. Bedke moved that the reported be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

H 146, as amended, **H 145**, as amended, **H 157**, as amended, **H 155**, as amended, **H 160**, as amended, and **H 178**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 199 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 199** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – Barrett, Bell, Eskridge, Harwood, Loertscher, Mathews, Patrick, Stevenson, Wood(35). Total – 9.

Absent and excused – Labrador, Pasley-Stuart, Roberts. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 199** passed the House. Title was approved and the bill ordered transmitted to the Senate.

SP 101 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Smith(30) to open debate.

The question being, "Shall **SP 101** be adopted?"

Whereupon the Speaker declared **SP 101** adopted by voice vote and ordered the proclamation returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, March 6, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:07 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 6, 2009

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused – Loertscher, Pasley-Stuart, Roberts, Smith(24), Wood(27). Total – 5.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Annie Richter, Page.

Approval of Journal

March 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 5, 2009

Mr. Speaker:

I transmit herewith **S 1098**, as amended, and **S 1071**, as amended, which have passed the Senate.

WOOD, Secretary

S 1098, as amended, and **S 1071**, as amended, were filed for first reading.

Report of Standing Committees

March 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 29**, **H 213**, **H 214**, **H 215**, **H 216**, **H 217**, **H 218**, **H 219**, **H 220**, and House amendments to **H 146**, **H 145**, **H 157**, **H 155**, **H 160**, and **H 178**.

CLARK, Chairman

HCR 29, **H 214**, **H 215**, **H 216**, and **H 218** were referred to the State Affairs Committee.

H 213 was referred to the Environment, Energy, and Technology Committee.

H 217 and **H 220** were referred to the Business Committee.

H 219 was referred to the Transportation and Defense Committee.

March 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 16**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 16** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 64**, as amended in the Senate, as amended in the Senate, **H 146**, as amended, **H 145**, as amended, **H 157**, as amended, **H 155**, as amended, **H 160**, as amended, and **H 178**, as amended.

CLARK, Chairman

H 64, as amended in the Senate, as amended in the Senate, **H 146**, as amended, **H 145**, as amended, **H 157**, as amended, **H 155**, as amended, **H 160**, as amended, and **H 178**, as amended, were filed for first reading of engrossed bills.

March 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 73** and **H 165** and report them back with amendments attached to be placed on General Orders for consideration.

CLARK, Chairman

H 73 and **H 165** were placed on General Orders for consideration.

March 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 72**, **H 163**, and **H 164** and recommend that they do pass.

CLARK, Chairman

H 72, **H 163**, and **H 164** were filed for second reading.

March 5, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 110**, **H 111**, **H 112**, **H 113**, **H 115**, **H 159**, and **H 187** and recommend that they do pass.

BLACK, Chairman

H 110, **H 111**, **H 112**, **H 113**, **H 115**, **H 159**, and **H 187** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 221
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO TUITION FOR PROFESSIONAL-TECHNICAL STUDENTS; AMENDING CHAPTER 22, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2213, IDAHO CODE, TO PROVIDE FOR USE OF CERTAIN MONEYS FOR TUITION FOR PROFESSIONAL-TECHNICAL STUDENTS AND TO PROVIDE FOR A LIST OF ENROLLEES; AND DECLARING AN EMERGENCY.

H 221 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1098, as amended, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1071, as amended, by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

First Reading of Engrossed Bills

H 64, as amended in the Senate, as amended in the Senate, and **H 160**, as amended, by Revenue and Taxation Committee, were introduced, read the first time by title, and filed for second reading.

H 146, as amended, and **H 145**, as amended, by Health and Welfare Committee, were introduced, read the first time by title, and filed for second reading.

H 157, as amended, by Education Committee, was introduced, read the first time by title, and filed for second reading.

H 155, as amended, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

H 178, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

Mrs. Wood(35) asked unanimous consent that **H 196** be returned to the Transportation and Defense Committee. There being no objection, it was so ordered.

S 1073 and **SCR 103**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

H 147, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 124, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

HJM 3, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that all House bills be placed at the top of the Third Reading Calendar, followed by

Senate bills for the remainder of the session. There being no objection it was so ordered.

H 125 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 125** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Black, Labrador, Loertscher, Pasley-Stuart, Roberts, Smith(24), Wood(27). Total – 7.

Total – 60.

Whereupon the Speaker declared that **H 125** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 126 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall **H 126** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Mr. Speaker. Total – 63.

NAYS – Barrett, Wood(35). Total – 2.

Absent and excused – Loertscher, Pasley-Stuart, Roberts, Smith(24), Wood(27). Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 126** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 127 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chavez to open debate.

The question being, "Shall **H 127** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez,

Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 63.

NAYS – Barrett, Marriott. Total – 2.

Absent and excused – Loertscher, Pasley-Stuart, Roberts, Smith(24), Wood(27). Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 127** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 201 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 201** pass?"

Roll call resulted as follows:

AYES – Anderson, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 52.

NAYS – Andrus, Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Jaquet, Killen, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Smith(30), Trail. Total – 17.

Absent and excused – Roberts. Total – 1.

Paired Votes:

AYE – Smith(24)	NAY – Jaquet
AYE – Wood(27)	NAY – Killen
AYE – Loertscher	NAY – Andrus
AYE – Wood(35)	NAY – Pasley-Stuart

(Pairs enumerated in roll call above.)
Total – 70.

Whereupon the Speaker declared that **H 201** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 107 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Labrador to open debate.

The question being, "Shall **H 107** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Clark, Loertscher, Pasley-Stuart, Roberts, Smith(24), Wood(27). Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 107** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 179 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **H 179** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Loertscher, Pasley-Stuart, Roberts, Smith(24), Wood(27). Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 179** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 184 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 184** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Lake, Loertscher, Pasley-Stuart, Roberts, Smith(24), Wood(27). Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 184** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 168 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 168** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer(Kupser), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Lake, Loertscher, Pasley-Stuart, Roberts, Smith(24), Wood(27). Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 168** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 9, 2009. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, March 9, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 9:08 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 9, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Taleesha Willie, Page.

Approval of Journal

March 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 6, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1052** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1052** and, when so signed, ordered it returned to the Senate.

March 6, 2009

Mr. Speaker:

I return herewith enrolled **HCR 13** and **HCR 16** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 13** and **HCR 16** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

March 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 221**.

CLARK, Chairman

H 221 was referred to the Education Committee.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 222 BY EDUCATION COMMITTEE AN ACT

RELATING TO THE JUVENILE CORRECTIONS ACT; AMENDING SECTION 20-511, IDAHO CODE, TO PROVIDE THAT SELF-INSURED COUNTIES PROVIDING WORKER'S COMPENSATION INSURANCE FOR PERSONS PERFORMING COMMUNITY SERVICE ARE NOT REQUIRED TO REMIT A CERTAIN FEE TO THE STATE INSURANCE FUND AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 20-520, IDAHO CODE, TO PROVIDE THAT SELF-INSURED COUNTIES PROVIDING WORKER'S COMPENSATION INSURANCE FOR PERSONS PERFORMING COMMUNITY SERVICE ARE NOT REQUIRED TO REMIT A CERTAIN FEE TO THE STATE INSURANCE FUND; AND AMENDING SECTION 31-3201C, IDAHO CODE, TO PROVIDE THAT SELF-INSURED COUNTIES PROVIDING WORKER'S COMPENSATION INSURANCE FOR PERSONS PERFORMING COMMUNITY SERVICE ARE NOT REQUIRED TO REMIT A CERTAIN FEE TO THE STATE INSURANCE FUND.

HOUSE BILL NO. 223 BY EDUCATION COMMITTEE AN ACT

RELATING TO VICTIMS OF CRIMES; AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE A PUBLIC RECORDS EXEMPTION; AND AMENDING CHAPTER 53, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-5306A, IDAHO CODE, TO PROVIDE FOR THE CONFIDENTIALITY OF THE IDENTITY OF VICTIMS OF CERTAIN SEXUAL CRIMES.

HOUSE BILL NO. 224 BY EDUCATION COMMITTEE AN ACT

RELATING TO SCHOLARSHIPS; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 57, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE INTENT, TO PROVIDE FOR THE PURPOSES OF THE CHAPTER, TO DEFINE TERMS, TO PROVIDE FOR ELIGIBILITY, TO PROVIDE FOR AN APPLICATION PROCESS, TO PROVIDE FOR APPLICATION CRITERIA, TO PROVIDE FOR A SELECTION PROCESS, TO PROVIDE FOR THE AMOUNT AND DURATION OF AWARDS, TO PROVIDE FOR PROCEDURE IN THE EVENT OF INELIGIBILITY AND TO CREATE AND PROVIDE FOR A NURSING EDUCATOR SCHOLARSHIP PROGRAM FUND.

HOUSE BILL NO. 225 BY EDUCATION COMMITTEE AN ACT

RELATING TO DAY CARE; AMENDING CHAPTER 11, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-1112A, IDAHO CODE, TO PROVIDE FOR ACCESS TO CERTAIN INFORMATION REGARDING DAY CARE.

H 222, H 223, H 224, and H 225 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 72, H 163, H 164, and H 178, as amended, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

H 110, H 111, H 112, H 113, H 115, and H 187, by Business Committee, were read the second time by title and filed for third reading.

H 159 and H 157, as amended, by Education Committee, were read the second time by title and filed for third reading.

H 64, as amended in the Senate, as amended in the Senate, and **H 160**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

H 146, as amended, and **H 145**, as amended, by Health and Welfare Committee, were read the second time by title and filed for third reading.

H 155, as amended, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 147** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 169 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 169** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Anderson, Chavez, Crane, Kren, Nonini, Pence, Shirley, Wills. Total – 8.

Total – 70.

Whereupon the Speaker declared that **H 169** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 170 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 170** pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Luker, Mathews, McGeachin, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Mr. Speaker. Total – 50.

NAYS – Andrus, Barrett, Bedke, Clark, Hagedorn, Kren, Lake, Loertscher, Marriott, Moyle, Nielsen, Schaefer, Shepherd(08), Thompson, Wood(35). Total – 15.

Absent and excused – Chavez, Nonini, Pence, Shirley, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 170** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 188 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 188** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Burgoyne. Total – 1.

Absent and excused – Chavez, Jaquet, Moyle, Nonini, Pence, Shirley, Wills. Total – 7.

Total – 70.

Whereupon the Speaker declared that **H 188** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 189 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 189** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Burgoyne. Total – 1.

Absent and excused – Chavez, Jaquet, Nonini, Pence, Roberts, Shirley, Wills. Total – 7.
Total – 70.

Whereupon the Speaker declared that **H 189** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 190 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall **H 190** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Chavez, Nonini, Pence, Shirley, Wills. Total – 5.
Total – 70.

Whereupon the Speaker declared that **H 190** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 191 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 191** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Palmer, Pasley-Stuart, Patrick, Raybould, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thompson, Wood(27), Mr. Speaker. Total – 45.

NAYS – Barrett, Boe, Burgoyne, Chew, Cronin, Durst, Harwood, Higgins, Jaquet, Killen, King, Luker, Nielsen, Ringo, Rusche, Sayler, Smith(24), Thayn, Trail, Wood(35). Total – 20.

Absent and excused – Chavez, Nonini, Pence, Shirley, Wills. Total – 5.
Total – 70.

Whereupon the Speaker declared that **H 191** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 43 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thayn to open debate.

The question being, "Shall **H 43** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Chavez, Nonini, Pence, Shirley, Wills. Total – 5.
Total – 70.

Whereupon the Speaker declared that **H 43** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 124 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

Mr. Bolz asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 124**. There being no objection it was so ordered.

The question being, "Shall **H 124** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Chavez, Nonini, Pence, Shirley, Wills. Total – 5.
Total – 70.

Whereupon the Speaker declared that **H 124** passed the House. Title was approved and the bill ordered transmitted to the Senate.

HJM 3 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hagedorn to open debate.

The question being, "Shall **HJM 3** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Chavez, Labrador, Nonini, Pence, Shirley, Wills. Total – 6.
Total – 70.

Whereupon the Speaker declared **HJM 3** adopted and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 72** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 72** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Chavez, Labrador, Nonini, Pence, Shirley, Wills. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 72** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **H 72** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Chavez, Harwood, Labrador, Nonini, Pence, Shirley, Wills. Total – 7.
Total – 70.

Whereupon the Speaker declared that **H 72** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 163** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 163** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Chavez, Labrador, Nonini, Pence, Shirley, Wills. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 163** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kren and Ms. Jaquet to open debate.

Mr. Kren asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 163**. There being no objection it was so ordered.

The question being, "Shall **H 163** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Harwood, Schaefer. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 163** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 164** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 164** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Chavez, Labrador, Nonini, Pence, Shirley, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 164** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **H 164** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thayn. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 164** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 110** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 110** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Chavez, Labrador, Nonini, Pence, Shirley, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 110** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

Mr. Rusche asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 110**. There being no objection it was so ordered.

The question being, "Shall **H 110** pass?"

Roll call resulted as follows:

AYES – Anderson, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Smith(30), Smith(24), Stevenson, Trail, Wills, Wood(27), Mr. Speaker. Total – 41.

NAYS – Andrus, Barrett, Bedke, Boyle, Durst, Hagedorn, Hart, Hartgen, Harwood, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Raybould, Roberts, Shepherd(08), Shirley, Simpson, Takasugi, Thompson, Wood(35). Total – 26.

Absent and excused – Bayer, Nonini, Thayn. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 110** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 111** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 111** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews,

McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Chavez, Labrador, Nonini, Pence, Shirley, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 111** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

Mr. Rusche asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 111**. There being no objection it was so ordered.

The question being, "Shall **H 111** pass?"

Roll call resulted as follows:

AYES – Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, McGeachin, Moyle, Palmer, Patrick, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 49.

NAYS – Andrus, Barrett, Boyle, Hagedorn, Hart, Harwood, Loertscher, Luker, Marriott, Mathews, Nielsen, Raybould, Roberts, Shepherd(08), Shirley, Wood(35). Total – 16.

Absent and excused – Anderson, Bayer, Nonini, Pasley-Stuart, Thayn. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 111** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 112** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 112** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Chavez, Labrador, Nonini, Pence, Shirley, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 112** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 112** pass?"

Roll call resulted as follows:

AYES – Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 52.

NAYS – Andrus, Barrett, Boyle, Hagedorn, Hart, Hartgen, Harwood, Loertscher, Marriott, Mathews, Nielsen, Raybould, Roberts, Shepherd(08), Shirley, Wood(35). Total – 16.

Absent and excused – Anderson, Thayn. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 112** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 113** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 113** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Chavez, Labrador, Nonini, Pence, Shirley, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 113** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **H 113** pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Mathews, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Smith(30), Smith(24), Stevenson, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 44.

NAYS – Andrus, Barrett, Bedke, Boyle, Clark, Hart, Hartgen, Harwood, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Takasugi, Wood(35). Total – 25.

Absent and excused – Thayn. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 113** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 64**, as amended in the Senate, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 64**, as amended in the Senate, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Chavez, Labrador, Nonini, Pence, Shirley, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 64**, as amended in the Senate, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 64**, as amended in the Senate, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge,

Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thayn. Total – 1.

Total – 70.

Whereupon the Speaker declared **H 64**, as amended in the Senate, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, March 10, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:01 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 10, 2009**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Philip Alexander, Page.

Approval of Journal

March 10, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-seventh Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 9, 2009

Mr. Speaker:

I transmit herewith **S 1122**, **S 1128**, and **S 1123** which have passed the Senate.

WOOD, Secretary

S 1122, **S 1128**, and **S 1123** were filed for first reading.

March 9, 2009

Mr. Speaker:

I return herewith **H 45** and **H 35** which have passed the Senate.

WOOD, Secretary

H 45 and **H 35** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 9, 2009

Mr. Speaker:

I return herewith **H 31**, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 31, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate, were ordered held at the Desk.

Mr. Hagedorn asked unanimous consent that the House concur in the Senate amendments to **H 31**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Andrus asked unanimous consent that the House concur in the Senate amendments to **H 34**, as amended in the Senate. There being no objection, it was so ordered.

Mrs. Ringo asked unanimous consent that the House concur in the Senate amendments to **H 79**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Wills asked unanimous consent that the House concur in the Senate amendments to **H 132**, as amended in the Senate. There being no objection, it was so ordered.

H 31, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 10, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 222**, **H 223**, **H 224**, and **H 225**.

CLARK, Chairman

H 222 was referred to the Commerce and Human Resources Committee.

H 223 was referred to the Judiciary, Rules, and Administration Committee.

H 224 and **H 225** were referred to the Education Committee.

March 10, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 64**, as amended in the Senate, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 64**, as amended in the Senate, as amended in the Senate, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 13** and **HCR 16** to the Secretary of State at 1:11 p.m., as of this date, March 9, 2009.

CLARK, Chairman

March 9, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HCR 12**, **HCR 22**, and **S 1043** and recommend that they do pass.

LOERTSCHER, Chairman

HCR 12, **HCR 22**, and **S 1043** were filed for second reading.

March 9, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 161** and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

H 161 was placed on General Orders for consideration.

March 9, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 217**, **S 1062**, and **S 1080** and recommend that they do pass.

BLACK, Chairman

H 217, **S 1062**, and **S 1080** were filed for second reading.

March 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1056**, as amended, **S 1003**, and **S 1042** and recommend that they do pass.

CLARK, Chairman

S 1056, as amended, **S 1003**, and **S 1042** were filed for second reading.

March 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 106** and **S 1004** and report them back with amendments attached to be placed on General Orders for consideration.

CLARK, Chairman

H 106 and **S 1004** were placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 5 BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO PRESIDENT OF THE UNITED STATES, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the processing of horses has become a controversial and emotional issue and has resulted in the closing of all horse processing facilities throughout the United States; and

WHEREAS, federal legislation was introduced to amend the 1970 Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling or donation of horses and other equines for processing and other purposes; and

WHEREAS, the loss of secondary markets has severely impacted the livestock industry by eliminating the salvage value of horses and has significantly reduced the market value of all horses; and

WHEREAS, prohibitions regarding the processing of horses have resulted in significant increases in abandoned and starving animals and have had significant economic impact on the entire equine industry; and

WHEREAS, the increase in unwanted or unusable horses has overwhelmed private animal welfare agencies and the public's ability to care for surplus domestic horses; and

WHEREAS, the annual number of unwanted or unusable surplus domestic horses is estimated to be one hundred thousand (100,000), compounding annually; and

WHEREAS, issues related to the humane handling and slaughter of surplus domestic horses are best addressed by proper regulations and inspection and not by banning or exporting the issue; and

WHEREAS, state agriculture and rural leaders recognize the necessity and benefit of a state's ability to direct the transport and processing of horses.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that Congress is urged to oppose federal legislation that interferes with a state's ability to direct the transport or processing of horses.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 5 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

Mr. Clark asked unanimous consent that **H 165** be returned to the Judiciary, Rules, and Administration Committee. There being no objection, it was so ordered.

HOUSE BILL NO. 226 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO OPERATING FEES FOR MOTOR VEHICLES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-415G, IDAHO CODE, TO PROVIDE FOR A SPECIAL PERMANENT OR BUSINESS LOGO LICENSE PLATE FOR TRAILERS AND SEMITRAILERS, TO PROVIDE PROCEDURES AND TO PROVIDE FOR REMITTANCE OF FEES; AND AMENDING SECTION 49-434, IDAHO CODE, TO REVISE REGISTRATION PROVISIONS FOR A TRAILER OR SEMITRAILER AND TO PROVIDE REGISTRATION PROVISIONS FOR A TRAILER OR SEMITRAILER BASED IN ANOTHER JURISDICTION.

HOUSE BILL NO. 227 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PAYDAY LOANS; AMENDING SECTION 28-46-402, IDAHO CODE, TO PROVIDE THAT A PAYDAY LOAN MADE IN THIS STATE IN

VIOLATION OF THE LICENSING REQUIREMENT OF THE DEPARTMENT OF FINANCE IS VOID, UNCOLLECTIBLE AND UNENFORCEABLE, TO PROVIDE THAT FOR ANY SUCH PAYDAY LOAN THE DEBTOR IS NOT OBLIGATED TO PAY THE PRINCIPAL OR ANY FEE ASSOCIATED WITH SUCH PAYDAY LOAN, TO PROVIDE PROCEDURES AND TO PROVIDE FOR CEASE AND DESIST ACTIONS BY THE DIRECTOR OF THE DEPARTMENT OF FINANCE; AMENDING SECTION 28-46-412, IDAHO CODE, TO REVISE PAYDAY LOAN PROCEDURES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-46-413, IDAHO CODE, TO PROVIDE PROCEDURES UPON THE THIRD RENEWAL OF A PAYDAY LOAN, TO PROVIDE FOR A PAYMENT PLAN AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 228
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE LOTTERY; AMENDING SECTION 67-7434, IDAHO CODE, TO PROVIDE FOR SPECIFIED TRANSFERS OF NET INCOME FROM THE LOTTERY, TO REQUIRE THE LOTTERY TO ENSURE SPECIFIED CONDITIONS, TO PROVIDE FOR ADJUSTMENTS TO CERTAIN TRANSFERS AND TO PROVIDE A SUNSET DATE; AND AMENDING SECTION 63-2520, IDAHO CODE, TO PROVIDE FOR THE CONSIDERATION OF CERTAIN LOTTERY MONEYS DISTRIBUTED IN CALCULATING AMOUNTS TO BE DISTRIBUTED BY THE TAX COMMISSION AND TO MAKE TECHNICAL CORRECTIONS.

H 226, H 227, and H 228 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1122, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1128, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

S 1123, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 147 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 147** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 59.

NAYS – Barrett, Boyle, Harwood, Lake, Loertscher, Luker, Marriott, Schaefer, Shepherd(08), Wood(35). Total – 10.

Absent and excused – Hart. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 147** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 115 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon to open debate.

Mr. Kren asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 115**. There being no objection it was so ordered.

The question being, "Shall **H 115** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – Barrett, Boyle, Burgoyne, Harwood, Kren, Loertscher, Luker, Marriott, Nielsen, Schaefer, Shepherd(08). Total – 11.

Absent and excused – Wood(35). Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 115** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 159 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **H 159** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Burgoyne. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 159** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 187 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 187** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Raybould. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 187** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 146, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

Pursuant to Rule 38(3), Mr. Burgoyne disclosed a conflict of interest regarding **H 146**, as amended.

The question being, "Shall **H 146**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 66.

NAYS – Durst, Pasley-Stuart, Mr. Speaker. Total – 3.

Absent and excused – Wills. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 146**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 145, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 145**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Chew, Wills. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 145**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 157, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 157**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Burgoyne, Durst. Total – 2.

Absent and excused – Chew, Wills. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 157**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, March 11, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:59 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 11, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Taleesha Willie, Page.

Approval of Journal

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-eighth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 10, 2009

Mr. Speaker:

I transmit herewith **SCR 107** and **SCR 108** which have passed the Senate.

WOOD, Secretary

SCR 107 and **SCR 108** were filed for first reading.

March 10, 2009

Mr. Speaker:

I return herewith **HCR 18**, **HJM 1**, and **H 123** which have passed the Senate.

WOOD, Secretary

HCR 18, **HJM 1**, and **H 123** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HJM 5**, **H 226**, **H 227**, and **H 228**.

CLARK, Chairman

HJM 5 was filed for second reading.

H 226 was referred to the Transportation and Defense Committee.

H 227 was referred to the Business Committee.

H 228 was referred to the State Affairs Committee.

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 45** and **H 35**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 45** and **H 35** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 31**, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate.

CLARK, Chairman

H 31, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate, were filed for first reading of engrossed bills.

March 10, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 212**, **S 1121**, and **S 1078** and recommend that they do pass.

NONINI, Chairman

H 212, **S 1121**, and **S 1078** were filed for second reading.

March 10, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **HCR 25** and recommend that it do pass.

TRAIL, Chairman

HCR 25 was filed for second reading.

March 10, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 151**, **H 205**, and **H 206** and recommend that they do pass.

WOOD, Chairman

H 151, **H 205**, and **H 206** were filed for second reading.

March 10, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1117**, **S 1066**, and **S 1076** and recommend that they do pass.

BLOCK, Chairman

S 1117, **S 1066**, and **S 1076** were filed for second reading.

March 10, 2009

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **HCR 28** and **H 213** and recommend that they do pass.

RAYBOULD, Chairman

HCR 28 and **H 213** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 107 and **SCR 108**, by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 229 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO MARTIAL LAW; AMENDING SECTION 46-601, IDAHO CODE, TO PROHIBIT ADDITIONAL RESTRICTIONS ON THE LAWFUL POSSESSION, TRANSFER, SALE, TRANSPORT, STORAGE, DISPLAY OR USE OF FIREARMS OR AMMUNITION DURING A STATE OF EXTREME EMERGENCY AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 230 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO PUBLICATION OF PERSONAL SERVICE CONTRACTS; AMENDING SECTION 59-514, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PUBLICATION OF PERSONAL SERVICE CONTRACTS.

HOUSE BILL NO. 231 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1342, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN MEMBERS' INITIAL SERVICE RETIREMENT ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 59-1346, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN MEMBERS' ACCRUED RETIREMENT ALLOWANCE.

H 229, **H 230**, and **H 231** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 31, as amended in the Senate, by Resources and Conservation Committee, was introduced, read the first time by title, and filed for second reading.

H 34, as amended in the Senate, by Agricultural Affairs Committee, was introduced, read the first time by title, and filed for second reading.

H 79, as amended in the Senate, by Education Committee, was introduced, read the first time by title, and filed for second reading.

H 132, as amended in the Senate, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

HCR 12, **HCR 22**, and **H 217**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1043 and **S 1042**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1062, **S 1056**, as amended, and **S 1003**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1080, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 11, 2009

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 46**, **H 73**, **H 161**, **H 106**, and **S 1004** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 46

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 7 through 28.

AMENDMENT TO SECTION 2

On page 1, in line 29, delete "SECTION 2." and insert: "SECTION 1."

CORRECTIONS TO TITLE

On page 1, in line 2, delete "AMENDING SECTION 54-3202,"; and in line 3, delete "IDAHO CODE, TO REVISE A DEFINITION; AND".

HOUSE AMENDMENT TO H.B. NO. 73

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 28, delete "to the victim as defined in section 19-5304,"; delete line 29 and insert: "as provided in law, or to payments for assessments, treatments, education classes, bad check recovery or other remedial programs.".

CORRECTION TO TITLE

On page 1, in line 4, delete "AND" and insert: ","; and also in line 4, following "PENALTIES" insert: "AND TO PROVIDE FOR EXCEPTIONS".

HOUSE AMENDMENT TO H.B. NO. 161**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 22, delete "¿"; in line 23, delete "individual or a commercial entity"; in line 24, delete "central"; and in line 25, following "¿" insert: "Nothing contained herein relieves an agency's responsibility to report a security breach to the office of the chief information officer within the department of administration, pursuant to the information technology resource management council policies.".

CORRECTIONS TO TITLE

On page 1, in line 3, delete "AGENCIES, INDIVIDUALS AND" and insert: "AGENCIES"; in line 4, delete "COMMERCIAL ENTITIES"; and also in line 4, delete "CENTRAL"; and in line 6, following "SECURITY" insert: "AND TO CLARIFY THAT CERTAIN REPORTING REQUIREMENTS CONTINUE TO APPLY TO STATE AGENCIES".

HOUSE AMENDMENT TO H.B. NO. 106**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 17, delete "~~OR~~" and insert: "OR"; in line 18, delete "OR OTHER PROFESSIONALS"; in line 20, delete "~~or~~" and insert: "or"; delete line 21; in line 22, delete "condition"; in line 25, delete "~~or~~" and insert: "or"; also in line 25, delete "or other"; and in line 26, delete "professional".

CORRECTIONS TO TITLE

On page 1, in line 2, following "CODE," delete "TO"; delete lines 3 through 5; and in line 6, delete "CONDITION OF THE DEFENDANT AT SENTENCING AND".

HOUSE AMENDMENT TO S.B. NO. 1004**AMENDMENT TO SECTION 2**

On page 2 of the printed bill, in line 22, delete "including:" and insert: "¿"; and delete lines 23 through 36.

BEDKE, Chairman

Mr. Bedke moved that the reported be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

H 46, as amended, **H 73**, as amended, **H 161**, as amended, and **H 106**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

S 1004, as amended in the House, was filed for first reading.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 155, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Labrador to open debate.

Mr. Crane asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 155**, as amended. There being no objection it was so ordered.

The question being, "Shall **H 155**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bell, Black, Boyle, Burgoyne, Crane, Eskridge, Gibbs, Hagedorn, Hart, Jarvis, Kren, Labrador, Luker, Mathews, McGeachin, Moyle, Palmer, Roberts, Shepherd(02), Shepherd(08), Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(35). Total – 31.

NAYS – Barrett, Bedke, Bilbao, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Marriott, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shirley, Smith(30), Trail, Wood(27), Mr. Speaker. Total – 39.

Total – 70.

Whereupon the Speaker declared that **H 155**, as amended, failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, March 12, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:23 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 12, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kristina Bassine, Page.

Approval of Journal

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-ninth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 11, 2009

Mr. Speaker:

I return herewith enrolled **H 64**, as amended in the Senate, as amended in the Senate, which has been signed by the President.
WOOD, Secretary

Enrolled **H 64**, as amended in the Senate, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 11, 2009

Mr. Speaker:

I transmit herewith **S 1126**, **S 1104**, **S 1131**, **S 1127**, and **S 1133** which have passed the Senate.

WOOD, Secretary

S 1126, **S 1104**, **S 1131**, **S 1127**, and **S 1133** were filed for first reading.

Report of Standing Committees

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 229**, **H 230**, **H 231**, and House amendments to **H 46**, **H 161**, **H 106**, and **S 1004**.

CLARK, Chairman

H 229 was referred to the State Affairs Committee.

H 230 and **H 231** were referred to the Commerce and Human Resources Committee.

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 18**, **HJM 1**, and **H 123**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 18**, **HJM 1**, and **H 123** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 46**, as amended, **H 73**, as amended, **H 161**, as amended, and **H 106**, as amended.

CLARK, Chairman

H 46, as amended, **H 73**, as amended, **H 161**, as amended, and **H 106**, as amended, were filed for first reading of engrossed bills.

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HCR 27** and **S 1017**, as amended, as amended, and recommend that they do pass.

NONINI, Chairman

HCR 27 and **S 1017**, as amended, as amended, were filed for second reading.

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 220** and recommend that it do pass.

BLACK, Chairman

H 220 was filed for second reading.

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1005**, as amended, **S 1006**, as amended, **S 1007**, and **S 1106** and recommend that they do pass.

CLARK, Chairman

S 1005, as amended, **S 1006**, as amended, **S 1007**, and **S 1106** were filed for second reading.

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 203** and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

H 203 was placed on General Orders for consideration.

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 222** and **HCR 23** and recommend that they do pass.

SCHAEFER, Chairman

H 222 and **HCR 23** were filed for second reading.

March 11, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1008** and recommend that it do pass.

STEVENSON, Chairman

S 1008 was filed for second reading.

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 195** and recommend that it do pass.

LOERTSCHER, Chairman

H 195 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 232
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3029, IDAHO CODE, TO REVISE DEFINITIONS AND TO REVISE PROCEDURES FOR TAXATION OF AN ESTATE OR TRUST; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING FURTHER APPLICATION TO PROCEEDINGS.

**HOUSE BILL NO. 233
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-60200, IDAHO CODE, TO PROVIDE THAT A RENEWABLE ENERGY DEVICE ATTACHED TO RESIDENTIAL PROPERTY SHALL BE EXEMPT FROM TAXATION, TO DEFINE TERMS, TO PROVIDE FOR A LIMITED SUNSET DATE, TO PROVIDE THAT THE EXEMPTION IS NECESSARY AND JUST, TO PROVIDE THAT PROPERTY EXEMPTED UNDER THIS ACT SHALL NOT BE INCLUDED ON ANY NEW CONSTRUCTION ROLL AND TO PROVIDE AN EXCEPTION TO THE LIMITED SUNSET DATE; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602PP, IDAHO CODE, TO PROVIDE THAT CERTAIN ENERGY PROPERTY SHALL BE EXEMPT FROM TAXATION, TO PROVIDE APPLICATION IF THE PROPERTY IS EXEMPT FROM TAXATION BY OTHER LAW, TO PROVIDE APPLICATION, TO PROVIDE THAT THE EXEMPTION IS NECESSARY AND JUST, TO PROVIDE FOR A LIMITED SUNSET DATE, TO PROVIDE THAT PROPERTY EXEMPTED UNDER THIS ACT SHALL

NOT BE INCLUDED ON ANY NEW CONSTRUCTION ROLL AND TO PROVIDE AN EXCEPTION TO THE LIMITED SUNSET DATE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 234
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO TRUST DEEDS; AMENDING SECTION 45-1503, IDAHO CODE, TO REVISE PROVISIONS RELATING TO TRANSFERS IN TRUST TO SECURE THE PERFORMANCE OF AN OBLIGATION AND FORECLOSURE; AMENDING SECTION 45-1507, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISPOSITION OF PROCEEDS RECEIVED AT THE TRUSTEE'S SALE; AMENDING SECTION 45-1512, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MONEY JUDGMENTS AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 235
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO FORECLOSURES AND DEFICIENCY JUDGMENTS; AMENDING SECTION 45-1503, IDAHO CODE, TO PROVIDE LIMITATIONS ON THE INSTITUTION OF CERTAIN JUDICIAL ACTIONS AGAINST CERTAIN PERSONS, TO REVISE TERMINOLOGY, TO REMOVE PROVISIONS ALLOWING THE BENEFICIARY TO BRING AN ACTION WITHOUT CERTAIN CONSEQUENCES, WAIVERS OR ALTERNATE PLEADING REQUIREMENTS, TO PROVIDE THAT IN A CERTAIN ACTION THE BENEFICIARY MAY SEEK JUDICIAL FORECLOSURE WITHOUT AFFECTING THE PRIORITY OF THE LIEN AND TO PROVIDE THAT IF THE BENEFICIARY OBTAINS A JUDGMENT, THE LIEN SHALL NOT ATTACH TO SUBSTANTIALLY VALUELESS PROPERTY; AMENDING SECTION 45-1512, IDAHO CODE, TO PROVIDE AGAINST WHOM A MONEY JUDGMENT MAY BE SOUGHT, TO PROVIDE FOR APPLICATION OF ANY PROCEEDS RECEIVED FROM THE PROPERTY SALE, TO PROVIDE A CERTAIN CREDIT AGAINST A DEFICIENCY OWING, TO PROVIDE FOR THE APPLICATION OF CERTAIN LIMITATIONS TO THE AMOUNT OF INDEBTEDNESS OF A GUARANTOR, TO PROVIDE THAT ANY ATTEMPT BY CONTRACT OR OTHERWISE TO WAIVE ANY PROVISION OF THE SECTION SHALL BE VOID AS AGAINST PUBLIC POLICY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 236
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO FORECLOSURES AND DEFICIENCY JUDGMENTS; AMENDING SECTION 6-101, IDAHO CODE, TO PROVIDE FOR BUT ONE ACTION AGAINST OBLIGORS AND GUARANTORS FOR RECOVERY OF ANY DEBT OR THE ENFORCEMENT OF ANY RIGHT SECURED BY MORTGAGE UPON REAL ESTATE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 6-108, IDAHO CODE, TO REVISE HOW AND WHEN THE VALUE OF MORTGAGED PROPERTY IS DETERMINED, TO PROVIDE A LIMITATION ON A DEFICIENCY JUDGMENT, TO PROVIDE FOR APPLICATION OF PROCEEDS FROM THE SALE OF THE PROPERTY, TO PROVIDE A CERTAIN

CREDIT AGAINST A DEFICIENCY OWING, TO APPLY THE PROTECTIONS OF THE SECTION TO CERTAIN PERSONS WITH A QUALIFICATION, TO REQUIRE A DEFICIENCY ACTION BE BROUGHT IN ONE ACTION AGAINST CERTAIN PERSONS AND TO PROVIDE THAT ANY ATTEMPT BY CONTRACT OR OTHERWISE TO WAIVE ANY PROVISION OF THE SECTION SHALL BE VOID AS AGAINST PUBLIC POLICY; AND DECLARING AN EMERGENCY.

H 232, H 233, H 234, H 235, and H 236 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1004, as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

S 1126, by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1104, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1131, by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1127, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1133, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

First Reading of Engrossed Bills

H 46, as amended, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

H 73, as amended, and **H 106**, as amended, by Judiciary, Rules, and Administration Committee, were introduced, read the first time by title, and filed for second reading.

H 161, as amended, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

HJM 5, HCR 25, HCR 28, and H 213, by State Affairs Committee, were read the second time by title and filed for third reading.

H 212 and H 79, as amended in the Senate, by Education Committee, were read the second time by title and filed for third reading.

S 1121, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1078, by Education Committee, was read the second time by title and filed for third reading.

H 151 and H 132, as amended in the Senate, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

H 205 and H 206, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

S 1117, S 1066, and S 1076, by Health and Welfare Committee, were read the second time by title and filed for third reading.

H 31, as amended in the Senate, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

H 34, as amended in the Senate, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 217** retain its place on the Third Reading Calendar until Monday, March 16, 2009. There being no objection, it was so ordered.

H 160, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 160**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Barrett, Bilbao, Luker, Thayn. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 160**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 178, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 178**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Smith(24). Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 178**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 12 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail and Mrs. Ringo to open debate.

The question being, "Shall **HCR 12** be adopted?"

Whereupon the Speaker declared **HCR 12** adopted by voice vote and ordered the resolution transmitted to the Senate.

HCR 22 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **HCR 22** be adopted?"

Whereupon the Speaker declared **HCR 22** adopted by voice vote and ordered the resolution transmitted to the Senate.

S 1091 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **S 1091** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **S 1091** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1070 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1070** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Cronin, Ringo. Total – 2.

Total – 70.

Whereupon the Speaker declared that **S 1070** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1075 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Takasugi to open debate.

The question being, "Shall **S 1075** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **S 1075** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1073 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall **S 1073** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **S 1073** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1043 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Pasley-Stuart to open debate.

The question being, "Shall **S 1043** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher,

Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **S 1043** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1062 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mathews to open debate.

The question being, "Shall **S 1062** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Wood(35). Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1062** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1080 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall **S 1080** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **S 1080** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1056, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **S 1056**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that **S 1056**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, March 13, 2009. Seconded by Mr. Ruchti. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:06 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 13, 2009

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent and excused – Lake, Loertscher, Mathews, Simpson,
Smith(24), Takasugi, Thompson. Total – 7.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Keisha Hale, Page.

Approval of Journal

March 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved the
House Journal of the Sixtieth Legislative Day and recommend
that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by
Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 12, 2009

Mr. Speaker:

I return herewith enrolled **H 45** and **H 35** which have been
signed by the President.

WOOD, Secretary

Enrolled **H 45** and **H 35** were referred to the Judiciary, Rules,
and Administration Committee for delivery to the Governor.

March 12, 2009

Mr. Speaker:

I transmit herewith **SJM 101**, **S 1109**, as amended, and
S 1112, as amended, which have passed the Senate.

WOOD, Secretary

SJM 101, **S 1109**, as amended, and **S 1112**, as amended, were
filed for first reading.

March 12, 2009

Mr. Speaker:

I return herewith **HCR 21** which has passed the Senate.

WOOD, Secretary

HCR 21 was referred to the Judiciary, Rules, and
Administration Committee for enrolling.

Report of Standing Committees

March 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have printed **H 232**, **H 233**,
H 234, **H 235**, and **H 236**.

CLARK, Chairman

H 232 was referred to the Revenue and Taxation Committee.

H 233 was filed for second reading.

H 234, **H 235**, and **H 236** were referred to the Judiciary,
Rules, and Administration Committee.

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have transmitted enrolled
H 64, as amended in the Senate, as amended in the Senate, to
the Governor at 1:20 p.m., as of this date, March 12, 2009.

CLARK, Chairman

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION,
report that we have had under consideration **S 1128** and
recommend that it do pass.

LAKE, Chairman

S 1128 was filed for second reading.

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE,
report that we have had under consideration **S 1115** and
recommend that it do pass.

BLOCK, Chairman

S 1115 was filed for second reading.

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS,
report that we have had under consideration **HCR 26** and **S 1071**,
as amended, and recommend that they do pass.

TRAIL, Chairman

HCR 26 and **S 1071**, as amended, were filed for second
reading.

March 12, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND
DEFENSE, report that we have had under consideration **H 226**,
H 24, **S 1111**, and **S 1098**, as amended, and recommend that
they do pass.

WOOD, Chairman

H 226, **H 24**, **S 1111**, and **S 1098**, as amended, were filed for
second reading.

March 13, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND
DEFENSE, report that we have had under consideration **H 97** and
report it back with amendments attached to be placed on General
Orders for consideration.

WOOD, Chairman

H 97 was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 6 BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, federal legislation was introduced as H.R. 2421 in the United States House of Representatives by Congressman James Oberstar. The legislation was known as the Clean Water Restoration Act of 2007, and was proposed to clarify which waters are subject to the jurisdiction of the United States under the Federal Water Pollution Control Act, 33 U.S.C. 1251, et seq.; and

WHEREAS, the federal legislation sought to clarify jurisdiction by striking the term "navigable waters" and replacing it with "waters of the United States" defined as "all waters subject to the ebb and flow of the tide, the territorial seas, and all interstate and intrastate waters and their tributaries, including lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, and all impoundments of the foregoing..."; and

WHEREAS, the bill, having not come up for debate, never became law and at the end of the congressional session all proposed bills and resolutions that have not passed are cleared from the books. There is, however, a strong likelihood that the bill will be reintroduced in this new congressional session; and

WHEREAS, striking the term "navigable waters" would potentially expand the federal government's reach beyond that which was intended and thereby blur jurisdictional authority to manage and regulate water resources within state and local government jurisdictions; and

WHEREAS, given the ambiguity of the legislation's jurisdictional reach, the implementation of the proposal may lead to increased litigation and uncertainty among public and private stakeholders, including homeowners, farmers, water districts and state and federal agencies, among others.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Legislature adamantly opposes any proposed federal legislation, similar to the Clean Water Restoration Act of 2007, introduced as H.R. 2421 in the United States House of Representatives in May, 2007, and urges congress not to enact any similar legislation.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 6 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 101, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 237 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO LOBBYISTS; AMENDING SECTION 67-6605, IDAHO CODE, TO CORRECT A CODE REFERENCE; AMENDING SECTION 67-6621, IDAHO CODE, TO REVISE PROHIBITED ACTIONS OF A PERSON REQUIRED TO REGISTER AS A LOBBYIST AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-6625, IDAHO CODE, TO PROVIDE THAT A CERTAIN SUBSEQUENT VIOLATION SHALL BE A FELONY, TO CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 238 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO FEES OF THE COUNTY RECORDER; AMENDING SECTION 31-3205, IDAHO CODE, TO REVISE PROVISIONS FOR DETERMINING THE FEE FOR DUPLICATION OF RECORDED DOCUMENTS IN EXCESS OF ONE HUNDRED PAGES OR FOR CONTINUOUS ELECTRONIC COPY REQUESTS FOR DUPLICATION OF RECORDS.

HOUSE BILL NO. 239 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-202, IDAHO CODE, TO REVISE THE DEFINITION OF "SENIOR RESIDENT"; AND AMENDING SECTION 36-404, IDAHO CODE, TO REVISE SENIOR RESIDENT COMBINATION LICENSE PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 240 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-115, IDAHO CODE, TO DELETE CERTAIN PAYMENT PRIORITY PROVISIONS RELATING TO THE BIG GAME DEPREDATION FUND.

HOUSE BILL NO. 241 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-663, IDAHO CODE, TO REVISE PROVISIONS FOR POSTED SPEED LIMITS RELATING TO THE OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 242 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO THE IDAHO SMALL EMPLOYER INCENTIVE ACT; AMENDING SECTION 63-4402, IDAHO CODE, TO REVISE THE DEFINITION OF PROJECT PERIOD; AMENDING SECTION 63-4403, IDAHO CODE,

TO EXTEND THE SUNSET DATE; AMENDING SECTION 63-4404, IDAHO CODE, TO EXTEND THE SUNSET DATE; AMENDING SECTION 63-4405, IDAHO CODE, TO EXTEND THE SUNSET DATE; AND AMENDING SECTION 63-4408, IDAHO CODE, TO EXTEND THE SUNSET DATE.

HOUSE BILL NO. 243
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO THE TOBACCO PRODUCTS TAX; AMENDING SECTION 63-2551, IDAHO CODE, TO PROVIDE ADDITIONAL DEFINITIONS; AMENDING SECTION 63-2552, IDAHO CODE, TO PROVIDE FOR TAXATION OF LITTLE CIGARS AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 63-2552A, IDAHO CODE, TO PROVIDE THAT A CERTAIN TAX SHALL NOT APPLY TO LITTLE CIGARS, TO DELETE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 244
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO THE LOCAL ECONOMIC DEVELOPMENT ACT; AMENDING SECTION 50-2904, IDAHO CODE, TO PROVIDE CODE REFERENCES, TO REVISE PROVISIONS RELATING TO CERTAIN LIMITS; AMENDING SECTION 50-2905, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PLANS FOR REVENUE ALLOCATION AREAS, TO PROVIDE FOR APPROVAL OF SUCH PLANS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 50-2907, IDAHO CODE, TO PROVIDE FOR THE FILING OF A REPORT, TO PROVIDE REQUIREMENTS RELATED TO CERTAIN FILINGS AND SUBMITTALS RELATING TO REVENUE ALLOCATION AREAS, TO PROHIBIT THE REALLOCATION OF REVENUE IN CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE SUSPENSION OF THE REALLOCATION OF TAX REVENUE, TO PROVIDE FOR AN EXCEPTION, TO PROVIDE FOR NOTICE AND TO PROVIDE FOR THE APPLICATION OF LAW.

H 237, H 238, H 239, H 240, H 241, H 242, H 243, and H 244 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1109, as amended, and **S 1112**, as amended, by Health and Welfare Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 27 and **H 222**, by Education Committee, were read the second time by title and filed for third reading.

S 1017, as amended, as amended, by Education Committee, was read the second time by title and filed for third reading.

H 220, H 195, and H 161, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1005, as amended, **S 1006**, as amended, **S 1007, S 1106, and S 1004**, as amended in the House, by Judiciary and Rules

Committee, were read the second time by title and filed for third reading.

HCR 23, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

S 1008, by Resources and Environment Committee, was read the second time by title and filed for third reading.

H 46, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 73, as amended, and **H 106**, as amended, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 212 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 212** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Shepherd(02), Shepherd(08), Shirley, Smith(30), Stevenson, Thayne, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Barrett, Harwood, Schaefer. Total – 3.

Absent and excused – Lake, Loertscher, Mathews, Rusche, Simpson, Smith(24), Takasugi, Thompson. Total – 8.

Total – 70.

Whereupon the Speaker declared that **H 212** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 151 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall **H 151** pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shirley, Smith(30), Stevenson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 46.

NAYS – Andrus, Barrett, Boyle, Chadderdon, Clark, Hartgen, Harwood, Kren, Luker, Marriott, McGeachin, Nielsen, Palmer, Patrick, Shepherd(08), Thayne. Total – 16.

Absent and excused – Lake, Loertscher, Mathews, Rusche, Simpson, Smith(24), Takasugi, Thompson. Total – 8.

Total – 70.

Whereupon the Speaker declared that **H 151** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 16, 2009. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, March 16, 2009. Seconded by Mr. Ruchti. Motion carried.

Whereupon the Speaker declared the House adjourned at 9:05 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 16, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Barrett. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kristina Bassine, Page.

Approval of Journal

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-first Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 13, 2009

Mr. Speaker:

I return herewith enrolled **HCR 18**, **HJM 1**, and **H 123** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 18** and **HJM 1** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 123** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 13, 2009

Mr. Speaker:

I transmit herewith **S 1132**, **S 1129**, and **S 1082** which have passed the Senate.

WOOD, Secretary

S 1132, **S 1129**, and **S 1082** were filed for first reading.

Report of Standing Committees

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HJM 6**, **H 237**, **H 238**, **H 239**, **H 240**, **H 241**, **H 242**, **H 243**, and **H 244**.

CLARK, Chairman

HJM 6, **H 237**, and **H 238** were referred to the State Affairs Committee.

H 239 and **H 240** were referred to the Resources and Conservation Committee.

H 241 was referred to the Transportation and Defense Committee.

H 242, **H 243**, and **H 244** were referred to the Revenue and Taxation Committee.

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 21**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 21** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 45** and **H 35** to the Governor at 10:25 a.m., as of this date, March 13, 2009.

CLARK, Chairman

March 13, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that **H 232** be returned to the Desk for re-referral.

LAKE, Chairman

H 232 was filed for second reading.

March 13, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 53** and **H 198** and report them back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

H 53 and **H 198** were placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1132, by State Affairs Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1129, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1082, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 233, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

S 1128, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1115 and **S 1111**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

HCR 26, **H 226**, and **H 24**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1071, as amended, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

S 1098, as amended, by Transportation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 217 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 217** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Barrett, Bayer, Black, Crane. Total – 4. Total – 70.

Whereupon the Speaker declared that **H 217** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 205 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ruchti to open debate.

The question being, "Shall **H 205** pass?"

Roll call resulted as follows:

AYES – Andrus, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews,

McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Barrett, Bayer, Black. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 205** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 206 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Shepherd(2) to open debate.

The question being, "Shall **H 206** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Barrett, Bayer, Black. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 206** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Roberts asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the legislative day. There being no objection, it was so ordered.

H 213 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall **H 213** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Clark, Jaquet, Kren, Moyle, Smith(24). Total – 5.

Absent and excused – Barrett, Bayer. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 213** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 31, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hagedorn to open debate.

The question being, "Shall **H 31**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Barrett, Bayer, Ruchti, Schaefer. Total – 4.

Total – 70.

Whereupon the Speaker declared **H 31**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 34, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall **H 34**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Barrett, Eskridge, Hagedorn, Nonini, Ruchti. Total – 5.

Total – 70.

Whereupon the Speaker declared **H 34**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Smith(24) asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the session. There being no objection, it was so ordered.

H 79, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 79**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Barrett, Crane, Labrador, Moyle, Nonini, Ruchti, Wood(27). Total – 7.

Total – 70.

Whereupon the Speaker declared **H 79**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 132, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 132**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Barrett, Labrador, Moyle, Ruchti. Total – 4.

Total – 70.

Whereupon the Speaker declared **H 132**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 220 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jarvis to open debate.

The question being, "Shall **H 220** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Burgoyne, Harwood. Total – 2.

Absent and excused – Barrett, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 220** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 222 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hartgen to open debate.

The question being, "Shall **H 222** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Barrett, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 222** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 195 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 195** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Barrett, Black, Ruchti. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 195** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 46, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **H 46**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 65.

NAYS – Mathews, Wood(35). Total – 2.

Absent and excused – Barrett, Black, Ruchti. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 46**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 73, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **H 73**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Barrett, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 73**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 161, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 161**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs,

Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Barrett, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 161**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 106, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 106**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Barrett, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 106**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 25 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **HCR 25** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Barrett, Nonini. Total – 2.

Total – 70.

Whereupon the Speaker declared **HCR 25** adopted and ordered the resolution transmitted to the Senate.

HCR 28 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Jaquet and Mr. Rusche to open debate.

The question being, "Shall **HCR 28** be adopted?"

Whereupon the Speaker declared **HCR 28** adopted by voice vote and ordered the resolution transmitted to the Senate.

HCR 27 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thayn to open debate.

The question being, "Shall **HCR 27** be adopted?"

Whereupon the Speaker declared **HCR 27** adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

House of Representatives
State of Idaho

March 16, 2009

The Honorable JoAn Wood
Transportation and Defense Committee

Dear Representative Wood:

I hereby designate the Transportation and Defense Committee a privileged committee for the purpose of introducing **RS 18864** and **RS 18858**, Tuesday, March 17, 2009.

Sincerely,
/s/ Lawrence Denney
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, March 17, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:14 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 17, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Barrett. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 16, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1043**, **S 1056**, as amended, **S 1062**, **S 1070**, **S 1073**, **S 1075**, **S 1080**, and **S 1091** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1043**, **S 1056**, as amended, **S 1062**, **S 1070**, **S 1073**, **S 1075**, **S 1080**, and **S 1091** and, when so signed, ordered them returned to the Senate.

March 16, 2009

Mr. Speaker:

I transmit herewith **S 1089**, **S 1130**, **S 1134**, and **S 1138** which have passed the Senate.

WOOD, Secretary

S 1089, **S 1130**, **S 1134**, and **S 1138** were filed for first reading.

March 16, 2009

Mr. Speaker:

I return herewith **H 36**, **H 37**, **H 83**, **H 51**, and **H 102** which have passed the Senate.

WOOD, Secretary

H 36, **H 37**, **H 83**, **H 51**, and **H 102** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 31**, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 31**, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 18** and **HJM 1** to the Secretary of State at 1:21 p.m., as of this date, March 16, 2009.

CLARK, Chairman

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 123** to the Governor at 1:25 p.m., as of this date, March 16, 2009.

CLARK, Chairman

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 84** and **H 225** and recommend that they do pass.

NONINI, Chairman

H 84 and **H 225** were filed for second reading.

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 218** and recommend that it do pass.

LOERTSCHER, Chairman

H 218 was filed for second reading.

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1065**, **S 1127**, **S 1109**, as amended, and **SJM 101** and recommend that they do pass.

BLOCK, Chairman

S 1065, **S 1127**, **S 1109**, as amended, and **SJM 101** were filed for second reading.

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1061** and **S 1131** and recommend that they do pass.

WOOD, Chairman

S 1061 and **S 1131** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 245
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE PARENTS AS TEACHERS FAMILY SUPPORT ACT; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 68, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE FINDINGS AND INTENT, TO DEFINE TERMS, TO PROVIDE FOR THE PARENTS AS TEACHERS FAMILY SUPPORT PROGRAM, TO PROVIDE FOR RULEMAKING AUTHORITY AND TO PROVIDE FOR THE PARENTS AS TEACHERS FAMILY SUPPORT FUND.

**HOUSE BILL NO. 246
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO TRANSPORTATION AND MOTOR FUEL TAXES; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE THE APPORTIONMENT FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701A, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION FUND, TO PROVIDE FOR MONEYS CREDITED TO THE FUND, TO PROVIDE FOR INTEREST, TO PROVIDE FOR APPORTIONMENT OF FUND MONEYS, TO PROVIDE FOR CONTINUOUS APPROPRIATION AND TO PROVIDE FOR EXPENDITURES; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX UPON MOTOR FUEL AND TO PROVIDE EFFECTIVE DATES; AND AMENDING SECTION 63-2424, IDAHO CODE, TO REVISE CERTAIN FEES RELATING TO VEHICLES POWERED BY GASEOUS FUELS AND TO PROVIDE EFFECTIVE DATES.

**HOUSE BILL NO. 247
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES, TO PROVIDE FOR DEPOSIT OF MONEYS, TO PROVIDE FOR ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-402B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-411, IDAHO CODE, TO REVISE VALIDATION FEE PROVISIONS RELATING TO DEALER AND MANUFACTURER PLATES, TO PROVIDE VALIDATION FEE PROVISIONS RELATING TO DEALER AND MANUFACTURER PLATES AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-431, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-432, IDAHO CODE, TO REVISE SPECIFIED PERMIT FEES, TO DELETE REFERENCE TO CERTAIN PERMIT FEES, TO

PROVIDE CERTAIN PERMIT FEES, TO PROVIDE CODE REFERENCES AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO DELETE REFERENCE TO CERTAIN REGISTRATION FEES, TO PROVIDE CERTAIN REGISTRATION FEES, TO PROVIDE FOR DEPOSIT OF MONEYS, TO PROVIDE CORRECT CODE REFERENCES, TO REVISE CERTAIN REGISTRATION AND ADMINISTRATIVE FEES, TO PROVIDE EFFECTIVE DATES, TO PROVIDE OPTIONS TO CERTAIN ANNUAL REGISTRATIONS, TO SPECIFY PROCESS PROVISIONS, TO PROVIDE FOR ADMINISTRATIVE FEES, TO DELETE REFERENCE TO PROVISIONS RELATING TO REGISTRATION FEES FOR SPECIFIED COMMERCIAL AND FARM VEHICLES, TO PROVIDE FOR REGISTRATION FEES FOR SPECIFIED COMMERCIAL AND FARM VEHICLES, TO REVISE FEE PROVISIONS RELATING TO SPECIFIED COMMERCIAL AND FARM VEHICLES AND TO DELETE REFERENCE TO CERTAIN USE FEES; AMENDING SECTION 49-435, IDAHO CODE, TO REVISE AN IDENTIFICATION CHARGE, TO REVISE A CODE REFERENCE AND TO CLARIFY THAT CERTAIN FEES SHALL BE PAID PURSUANT TO APPLICABLE CODE REFERENCES; AMENDING SECTION 49-439, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-443, IDAHO CODE, TO PROVIDE CODE REFERENCES, TO REVISE CODE REFERENCES AND TO REVISE CERTAIN TRANSFER FEES RELATING TO VEHICLES DESTROYED BY FIRE OR ACCIDENT; AMENDING SECTION 49-450, IDAHO CODE, TO REVISE THE FEE RELATING TO THE ISSUANCE OF PLATES; AMENDING SECTION 67-7122, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

H 245, **H 246**, and **H 247** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1089, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1130, by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1134, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1138, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 232, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Lake asked unanimous consent that **H 233** be placed on General Orders for consideration. There being no objection it was so ordered.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 246** and **H 247**.

CLARK, Chairman

H 246 and **H 247** were filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, March 18, 2009. Seconded by Mr. Ruchti. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:18 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 18, 2009

House of Representatives

The House convened at 11:00 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Hartgen. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Keisha Hale, Page.

Approval of Journal

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fifth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 17, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 35, H 45, H 123, and H 64, as amended in the Senate, as amended in the Senate.

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

March 17, 2009

Mr. Speaker:

I return herewith enrolled **HCR 21** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 21** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 17, 2009

Mr. Speaker:

I transmit herewith **S 1086** and **S 1137** which have passed the Senate.

WOOD, Secretary

S 1086 and **S 1137** were filed for first reading.

March 17, 2009

Mr. Speaker:

I return herewith **H 143** which has passed the Senate.

WOOD, Secretary

H 143 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 245**.

CLARK, Chairman

H 245 was referred to the Education Committee.

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 36, H 37, H 83, H 51, and H 102**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 36, H 37, H 83, H 51, and H 102** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HCR 29** and **H 214** and recommend that they do pass.

LOERTSCHER, Chairman

HCR 29 and **H 214** were filed for second reading.

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1046** and **S 1050** and recommend that they do pass.

CLARK, Chairman

S 1046 and **S 1050** were filed for second reading.

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that **S 1132** be returned to the Desk for re-referral.

NONINI, Chairman

S 1132 was referred to the Environment, Energy, and Technology committee.

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that **HJM 6** be returned to the Desk for re-referral.

LOERTSCHER, Chairman

HJM 6 was filed for second reading.

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1126** and recommend that it do pass.

BLACK, Chairman

S 1126 was filed for second reading.

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1060**, as amended, and recommend that it do pass.

NONINI, Chairman

S 1060, as amended, was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 7 BY EDUCATION COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF HEALTH AND HUMAN SERVICES, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, Idaho ranks 49th out of the 50 states for physicians in patient care per 100,000 population; and

WHEREAS, 27 of Idahos 44 counties have less than one physician in patient care per 1,000 population; and

WHEREAS, approximately 31% of Idahos primary care physicians are 55 or older; and

WHEREAS, Idaho ranks 47th out of the 50 states for medical school seats per 100,000 population; and

WHEREAS, Idaho residents who make application to medical school regularly exceed national averages for Medical College Admissions Test scores and GPA; and

WHEREAS, of 156 Idaho residents who applied to medical school in 2008, only 58 (or 37%) matriculated; and

WHEREAS, Idaho is the largest state in the nation without a medical school, and only one of six states in the nation that does not have an allopathic medical school; and

WHEREAS, an independent national study has shown that on average for every dollar directly spent by medical schools and teaching hospitals, the indirect economic impact is multiplied by a factor of 1.3 for a total impact of \$2.30; and

WHEREAS, the American Academy of Family Physicians estimates that each family physician in Idaho has an economic impact of \$812,189 per year; and

WHEREAS, the 2008 Legislative Council Interim Committee on Medical Education recommended, inter alia, the development of an Idaho-based four-year medical education program.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that federal funding be identified and made available for the delivery of the doctor of medicine (MD) degree in the state of Idaho.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Secretary of Health and Human Services, President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 7 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 248 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1306, IDAHO CODE, TO DEFINE "BASE PERIOD" AND "ALTERNATIVE BASE PERIOD" FOR CLAIMANTS WHO HAVE INSUFFICIENT WAGES IN THE BASE PERIOD TO ESTABLISH ELIGIBILITY FOR UNEMPLOYMENT BENEFITS; AMENDING SECTION 72-1366, IDAHO CODE, TO PROVIDE THAT CERTAIN CLAIMANTS SHALL NOT BE DENIED REGULAR UNEMPLOYMENT BENEFITS SOLELY BECAUSE THEY ARE SEEKING ONLY PART-TIME WORK, TO DEFINE A PHRASE, TO PROVIDE A SPECIFIC CODE REFERENCE, TO PROVIDE THAT CERTAIN JOB TRAINING MUST BE COMPLETED IN TWO YEARS, TO PROVIDE THAT CERTAIN CLAIMANTS SHALL BE ELIGIBLE FOR TRAINING EXTENSION BENEFITS, TO PROVIDE CRITERIA, TO PROVIDE FOR WEEKLY TRAINING BENEFIT EXTENSION AMOUNTS, TO PROVIDE THAT THE APPLICATION OF CERTAIN PROVISIONS SHALL NOT RESULT IN A DENIAL OF TRAINING EXTENSION BENEFITS AND TO PROVIDE THAT EMPLOYERS' ACCOUNTS SHALL NOT BE CHARGED FOR TRAINING EXTENSION BENEFITS PAID TO CLAIMANTS; AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 249 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE STATE OR POLITICAL SUBDIVISIONS; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2349A, IDAHO CODE, TO REQUIRE THAT WHEN A UNITED STATES FLAG OR FLAG OF THE STATE OF IDAHO IS PURCHASED OR SOLD BY THE STATE OR A POLITICAL SUBDIVISION, THE FLAG SHALL BE MANUFACTURED IN THE UNITED STATES.

HOUSE BILL NO. 250
BY APPROPRIATIONS COMMITTEE
 AN ACT

RELATING TO FINANCING THE FUNCTIONS OF STATE GOVERNMENT; PROVIDING A SHORT TITLE; DECLARING LEGISLATIVE INTENT REGARDING GENERAL FUND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2009; CREATING THE AMERICAN REINVESTMENT FUND; AMENDING SECTION 1, CHAPTER 391, LAWS OF 2008, TO REVISE THE PUBLIC SCHOOL APPROPRIATION FOR FISCAL YEAR 2009; AMENDING SECTION 2, CHAPTER 391, LAWS OF 2008, TO REVISE THE DISTRIBUTION OF MONEYS TO THE PUBLIC SCHOOL INCOME FUND; TRANSFERRING FUNDS FROM THE CAPITOL ENDOWMENT INCOME FUND TO THE GENERAL FUND; TRANSFERRING FUNDS FROM THE AQUIFER PLANNING AND MANAGEMENT FUND TO THE GENERAL FUND; TRANSFERRING FUNDS FROM THE PERMANENT BUILDING FUND TO THE GENERAL FUND; TRANSFERRING FUNDS FROM THE CONSUMER PROTECTION FUND TO THE GENERAL FUND; REDUCING THE APPROPRIATION TO AGENCIES AND INSTITUTIONS FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO AGENCIES FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO AGENCIES AND INSTITUTIONS FOR EMPLOYER HEALTH INSURANCE COSTS FOR FISCAL YEAR 2009; LIMITING THE TRANSFER OF MONEYS FROM THE GENERAL FUND TO THE LEGISLATIVE FUND; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2009; INCREASING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 251
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO THE IDAHO BUILDING CODE ACT; AMENDING SECTION 39-4113, IDAHO CODE, TO REVISE CODE REFERENCES, TO REVISE PROVISIONS RELATING TO CERTAIN FEES, TO PROVIDE THAT PUBLIC SCHOOL BUILDING PLANS SHALL BE APPROVED BY EITHER THE LOCAL GOVERNMENT OR THE DIVISION OF BUILDING SAFETY, TO PROVIDE THAT CERTAIN CITIES AND COUNTIES SHALL BE ELIGIBLE TO PERFORM SCHOOL PLAN REVIEWS IF CERTAIN REQUIREMENTS ARE MET, TO PROVIDE REQUIREMENTS REGARDING PLANS EXAMINERS WHO PERFORM PLAN REVIEWS, TO PROVIDE FOR CERTAIN CONTRACTS, TO PROVIDE PROVISIONS RELATING TO COUNTY ELIGIBILITY TO PERFORM CERTAIN PLAN REVIEW SERVICES, TO PROVIDE FOR CERTAIN COPIES, TO PROVIDE THAT A SCHOOL DISTRICT MAY ELECT TO UTILIZE CERTAIN SCHOOL PLAN REVIEW SERVICES, TO REVISE PROVISIONS RELATING TO A SCHOOL DISTRICT'S USE OF THE DIVISION OF BUILDING SAFETY'S PLAN REVIEW SERVICES, TO REVISE PROVISIONS RELATING TO THE APPROVAL OF PUBLIC SCHOOL BUILDING PLANS AND TO REVISE PROVISIONS RELATING TO THE APPLICATION OF LAW; AMENDING SECTION 39-4116, IDAHO CODE, TO DELETE REFERENCE TO A DATE; AND AMENDING SECTION 39-8007, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR SHALL

ESTABLISH A PROGRAM FOR THE TIMELY REVIEW OF PUBLIC SCHOOL CONSTRUCTION PLANS AND TO REVISE A CODE REFERENCE.

HOUSE BILL NO. 252
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO SCHOOL DISTRICT FINANCIAL EMERGENCIES; AMENDING SECTION 33-402, IDAHO CODE, TO PROVIDE FOR NOTICE REQUIREMENTS IN THE EVENT A FINANCIAL EMERGENCY HAS BEEN DECLARED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-515, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE ISSUANCE OF CERTAIN CONTRACTS, TO CLARIFY LANGUAGE, TO PROVIDE FOR AN INFORMAL REVIEW UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR A DUE PROCESS HEARING AND PROCEDURE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THE TIME IN WHICH THE DUE PROCESS HEARING IS TO BE HELD AND TO PROVIDE THAT A DUE PROCESS HEARING IS NOT REQUIRED UNDER CERTAIN CIRCUMSTANCES; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-522, IDAHO CODE, TO PROVIDE FOR FINANCIAL EMERGENCIES; AMENDING SECTION 33-601, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-801, IDAHO CODE, TO PROVIDE A TIME REQUIREMENT FOR PREPARATION OF A BUDGET IF A FINANCIAL EMERGENCY HAS BEEN DECLARED; AMENDING SECTION 33-1510, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

H 248, H 249, H 250, H 251, and H 252 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1086, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1137, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 84 and H 225, by Education Committee, were read the second time by title and filed for third reading.

H 218, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1065 and S 1109, as amended, by Health and Welfare Committee, were read the second time by title and filed for third reading.

S 1127 and SJM 101, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1061, by Transportation Committee, was read the second time by title and filed for third reading.

S 1131, by State Affairs Committee, was read the second time by title and filed for third reading.

H 246 and **H 247**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mrs. Wood(35) asked unanimous consent that **H 53** be returned to the Transportation and Defense Committee. There being no objection, it was so ordered.

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 18, 2009

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 203**, **H 97**, and **H 233** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 203

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 25, following "ENERGY." insert: "(1)"; in line 26 following "property of" insert: "commercial"; delete lines 31 through 33, and insert: "~~be paid:~~ (2) As used in this section, the term "renewable energy" means energy generated from the following sources: wind energy, geothermal resources, renewable biomass, solar energy and landfill gas power. As used herein "renewable biomass" means any organic matter that is available on a renewable or recurring basis including: renewable plant material including feed grains, other agricultural commodities, other plants and trees and algae; and waste material including crop residue, other vegetative waste material (including wood waste and wood residues), animal waste and byproducts (including fats, oils, greases and manure) and construction waste and yard waste.

Any property exempt from taxation pursuant to this section shall not be included on the new construction roll pursuant to section 63-301A, Idaho Code.

Property exempt from taxation pursuant to this section means industrial fixtures, devices and support facilities that are integral and necessary to the generation of electricity using wind, geothermal resources, renewable biomass, sun, or landfill gas as the principal source of power.

"Machinery and equipment" includes all operating property as described in section 63-3501(h), Idaho Code. "Machinery and equipment" does not include: hand-powered tools; property with a useful life of less than one (1) year; repair parts required to restore machinery and equipment to normal working order; replacement parts that do not increase productivity, improve efficiency or extend the useful life of machinery and equipment; buildings or building fixtures that are not integral and necessary to the generation of electricity that are permanently affixed to and become a physical part of a building. "Machinery and equipment" is used directly in generating electricity by wind

energy, geothermal resources, renewable biomass, solar energy or landfill gas power if it provides any part of the process that captures the energy of the wind, geothermal resources, renewable biomass, sun, or landfill gas, converts that energy to electricity and stores, transforms or transmits that electricity for entry into or operation in parallel with electric transmission and distribution systems or for the owner's own use.

The owner of an existing renewable energy project, which is not exempt from property taxation on February 1, 2009, shall make an election as to whether to be taxed on the property tax or the production tax. The owner shall certify to the county assessor and the state tax commission by April 15, 2010, that he is making application for the exemption allowed pursuant to this section. Once the owner of the property applies for the exemption and the exemption is granted, the property shall forever be exempt from property taxation as long as it qualifies for the exemption provided pursuant to this section by virtue of payment of the tax provided in section 63-3502B, Idaho Code, and produces electric energy."

AMENDMENT TO SECTION 2

On page 3, delete lines 5 through 7, and insert:

"(j) The term "renewable energy" means energy generated from the following sources: wind energy, geothermal resources, renewable biomass, solar energy and landfill gas power. As used herein "renewable biomass" means any organic matter that is available on a renewable or recurring basis including: renewable plant material including feed grains, other agricultural commodities, other plants and trees and algae; and waste material including crop residue, other vegetative waste material (including wood waste and wood residues), animal waste and byproducts (including fats, oils, greases and manure) and construction waste and yard waste."

CORRECTION TO TITLE

On page 1, delete line 5, and insert: "IS EXEMPT FROM TAXATION, TO DEFINE TERMS AND TO PROVIDE APPLICATION;"

HOUSE AMENDMENT TO H.B. NO. 203

AMENDMENT TO THE BILL

On page 5 of the printed bill, following line 14, insert:

"SECTION 8. That Section 63-802, Idaho Code, be, and the same is hereby amended to read as follows:

63-802. LIMITATION ON BUDGET REQUESTS – LIMITATION ON TAX CHARGES – EXCEPTIONS. (1) Except as provided in subsection (3) of this section for tax year 1995, and each year thereafter, no taxing district shall certify a budget request for an amount of property tax revenues to finance an annual budget that exceeds the greater of:

(a) The dollar amount of property taxes certified for its annual budget for any one (1) of the three (3) tax years preceding the current tax year, whichever is greater, plus the dollar amount of moneys received pursuant to section 63-3638(12), Idaho Code, for the past tax year, which amount may be increased by a growth factor of not to exceed three percent (3%) plus the amount of revenue that would have been generated by applying the levy of the previous year, not including any levy described in subsection (4) of this section, or any school district levy reduction resulting from a distribution of state funds pursuant to section 63-3638(10), Idaho Code, to any increase in market value subject to taxation resulting from new construction or change of land use classification as evidenced by the value shown on the new construction roll compiled pursuant to section

63-301A, Idaho Code; and by the value of annexation during the previous calendar year, as certified by the state tax commission for market values of operating property of public utilities and by the county assessor; or

(b) The dollar amount of property taxes certified for its annual budget during the last year in which a levy was made; or

(c) The dollar amount of the actual budget request, if the taxing district is newly created except as may be provided in subsection (1)(h) of this section; or

(d) In the case of school districts, the restriction imposed in section 33-802, Idaho Code; or

(e) In the case of a nonschool district for which less than the maximum allowable increase in the dollar amount of property taxes is certified for annual budget purposes in any one (1) year, such a district may, in any following year, recover the foregone increase by certifying, in addition to any increase otherwise allowed, an amount not to exceed one hundred percent (100%) of the increase originally foregone. Said additional amount shall be included in future calculations for increases as allowed; or

(f) In the case of cities, if the immediately preceding year's levy subject to the limitation provided by this section, is less than 0.004, the city may increase its budget by an amount not to exceed the difference between 0.004 and actual prior year's levy multiplied by the prior year's market value for assessment purposes. The additional amount must be approved by sixty percent (60%) of the voters voting on the question at an election called for that purpose and held on the date in May or November provided by law, and may be included in the annual budget of the city for purposes of this section; or

(g) A taxing district may submit to the electors within the district the question of whether the budget from property tax revenues may be increased beyond the amount authorized in this section, but not beyond the levy authorized by statute. The additional amount must be approved by sixty-six and two-thirds percent (66 2/3%) or more of the voters voting on the question at an election called for that purpose and held on the May or November dates provided by section 34-106, Idaho Code. If approved by the required minimum sixty-six and two-thirds percent (66 2/3%) of the voters voting at the election, the new budget amount shall be the base budget for the purposes of this section; or

(h) When a nonschool district consolidates with another nonschool district or dissolves and a new district performing similar governmental functions as the dissolved district forms with the same boundaries within three (3) years, the maximum amount of a budget of the district from property tax revenues shall not be greater than the sum of the amounts that would have been authorized by this section for the district itself or for the districts that were consolidated or dissolved and incorporated into a new district; or

(i) In the instance or case of cooperative service agencies, the restrictions imposed in sections 33-315 through 33-318, Idaho Code; or

(j) In the instance where a taxing district received money pursuant to section 63-3502B, Idaho Code, and the alternative energy equipment no longer produces electrical energy, the taxing district may increase the dollar amount of property taxes certified for its annual budget by the amount received pursuant to section 63-3502B, Idaho Code, during the alternative energy equipment's last full year of production.

(2) In the case of fire districts, during the year immediately following the election of a public utility or public utilities to

consent to be provided fire protection pursuant to section 31-1425, Idaho Code, the maximum amount of property tax revenues permitted in subsection (1) of this section may be increased by an amount equal to the current year's taxable value of the consenting public utility or public utilities multiplied by that portion of the prior year's levy subject to the limitation provided by subsection (1) of this section.

(3) No board of county commissioners shall set a levy, nor shall the state tax commission approve a levy for annual budget purposes which exceeds the limitation imposed in subsection (1) of this section, unless authority to exceed such limitation has been approved by a majority of the taxing district's electors voting on the question at an election called for that purpose and held pursuant to section 34-106, Idaho Code, provided however, that such voter approval shall be for a period of not to exceed two (2) years.

(4) The amount of property tax revenues to finance an annual budget does not include revenues from nonproperty tax sources, and does not include revenue from levies that are voter approved for bonds, override levies or supplemental levies, plant facilities reserve fund levies, school emergency fund levies or for levies applicable to newly annexed property or for levies applicable to new construction as evidenced by the value of property subject to the occupancy tax pursuant to section 63-317, Idaho Code, for the preceding tax year."; in line 15, delete "8" and insert: "9".

CORRECTION TO TITLE

On page 1, in line 18, following "ENERGY;" insert: "AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE FOR A TAXING DISTRICT'S PROPERTY TAX BUDGET IF THE ALTERNATIVE ENERGY EQUIPMENT CEASES TO PRODUCE ELECTRICITY;"

HOUSE AMENDMENT TO H.B. NO. 97

AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 19, insert:

"(4) A person may drive an emergency vehicle in a high occupancy vehicle lane regardless of the number of passengers, without penalty, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm or when performing normal patrol duties.

(5) A person may drive an authorized maintenance vehicle in a high occupancy vehicle lane regardless of the number of passengers, without penalty, when necessary to perform maintenance of that lane."; in line 20, delete "(4)" and insert: "(6)"; in line 21, delete "two hundred dollars (\$200)" and insert: "one hundred dollars (\$100)"; delete line 22, and insert:

"(7) For the purposes of this section, the following terms have the following meanings:

(a) "High occupancy vehicle lane" means a designated lane of laned roadway where the use of such designated lane is restricted to vehicles carrying at least the minimum number of persons as provided for in this section and as designated by the director of the Idaho transportation department as indicated on official signs and other official traffic-control devices.

(b) "Public transportation vehicle" means a vehicle that: in line 23, delete "(a)" and insert: "(i)"; in line 26, delete "(b)" and insert: "(ii)"; and following line 29, insert:

"(8) The provisions of this section shall apply only in counties with a population less than twenty-five thousand (25,000), according to the most recent census within the state of Idaho, and where such county includes a resort city authorized to

approve certain nonproperty taxes pursuant to section 50-1044, Idaho Code."

CORRECTION TO TITLE

On page 1, delete line 6, and insert: ", TO PROVIDE DEFINITIONS AND TO PROVIDE FOR APPLICATION OF LAW."

HOUSE AMENDMENT TO H.B. NO. 233

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 17, following "Code," insert: "and renewable biomass which means any organic matter that is available on a renewable or recurring basis from forest or farm land,".

We have also had under consideration **H 198**, report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the reported be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

H 203, as amended, **H 97**, as amended, and **H 233**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

H 198 was retained on General Orders.

The amendments were referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 19, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:55 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 19, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Smith(24). Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Breana Rojas, Page.

Approval of Journal

March 19, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 18, 2009

Mr. Speaker:

I return herewith enrolled **H 31**, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 31**, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 18, 2009

Mr. Speaker:

I transmit herewith **S 1074**, as amended, as amended, **S 1020**, as amended, and **S 1108**, as amended, which have passed the Senate.

WOOD, Secretary

S 1074, as amended, as amended, **S 1020**, as amended, and **S 1108**, as amended, were filed for first reading.

March 18, 2009

Mr. Speaker:

I return herewith **H 57**, **H 78**, **H 40**, **H 137**, **H 59**, and **H 60** which have passed the Senate.

WOOD, Secretary

H 57, **H 78**, **H 40**, **H 137**, **H 59**, and **H 60** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 18, 2009

Mr. Speaker:

I return herewith **H 70**, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 70, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate, were ordered held at the Desk.

Mr. Clark asked unanimous consent that the House concur in the Senate amendments to **H 70**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Thompson asked unanimous consent that the House concur in the Senate amendments to **H 152**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Takasugi asked unanimous consent that the House concur in the Senate amendments to **H 76**, as amended in the Senate. There being no objection, it was so ordered.

H 70, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 19, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HJM 7**, **H 248**, **H 249**, **H 250**, **H 251**, **H 252**, and House amendments to **H 203**, **H 97**, and **H 233**.

CLARK, Chairman

HJM 7, **H 251**, and **H 252** were referred to the Education Committee.

H 248 was referred to the Commerce and Human Resources Committee.

H 249 was referred to the State Affairs Committee.

H 250 was filed for second reading.

March 19, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 143**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 143** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 19, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 203**, as amended, **H 97**, as amended, and **H 233**, as amended.

CLARK, Chairman

H 203, as amended, **H 97**, as amended, and **H 233**, as amended, were filed for first reading of engrossed bills.

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 21** to the Secretary of State at 1:50 p.m., as of this date, March 18, 2009.

CLARK, Chairman

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJM 4** and recommend that it do pass.

LOERTSCHER, Chairman

HJM 4 was filed for second reading.

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 216** and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

H 216 was placed on General Orders for consideration.

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 242** and recommend that it do pass.

LAKE, Chairman

H 242 was filed for second reading.

March 19, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 244** and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

H 244 was placed on General Orders for consideration.

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 241**, **S 1053**, as amended, and **S 1054** and recommend that they do pass.

WOOD, Chairman

H 241, **S 1053**, as amended, and **S 1054** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 253 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO COOPERATIVE SERVICE AGENCIES;
AMENDING SECTION 33-317, IDAHO CODE, TO REVISE

PROVISIONS RELATING TO CERTAIN LEVIES FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING FACILITIES OF A COOPERATIVE SERVICE AGENCY; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-317A, IDAHO CODE, TO PROVIDE THAT A COOPERATIVE SERVICE AGENCY MAY REQUEST ADDITIONAL FUNDING TO BE FURNISHED BY A TAX LEVY, TO PROVIDE FOR AN ELECTION, TO PROVIDE PROVISIONS RELATING TO A QUESTION TO BE SUBMITTED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR CERTAIN VOTING PERCENTAGES RELATING TO TAX LEVY RATES, TO PROVIDE FOR A TAX LEVY, TO PROVIDE FOR INCREASING THE TERM AND TAX LEVY, TO PROVIDE FOR A CONDITION ON COMMENCING PHYSICAL CONSTRUCTION, TO PROVIDE PROVISIONS RELATING TO WHEN ONE OR MORE MEMBER DISTRICTS FAIL TO APPROVE THE TAX LEVY, TO PROVIDE FOR SUBSEQUENT ELECTIONS FOR CERTAIN MEMBER DISTRICTS AND TO PROVIDE FOR THE ADMINISTRATION AND ACCOUNTING OF MONEYS.

HOUSE BILL NO. 254 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES, TO PROVIDE FOR DEPOSIT OF MONEYS, TO PROVIDE FOR ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-402B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-411, IDAHO CODE, TO REVISE VALIDATION FEE PROVISIONS RELATING TO DEALER AND MANUFACTURER PLATES, TO PROVIDE VALIDATION FEE PROVISIONS RELATING TO DEALER AND MANUFACTURER PLATES AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-431, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-432, IDAHO CODE, TO REVISE SPECIFIED PERMIT FEES, TO DELETE REFERENCE TO CERTAIN PERMIT FEES, TO PROVIDE CERTAIN PERMIT FEES, TO PROVIDE CODE REFERENCES AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO DELETE REFERENCE TO CERTAIN REGISTRATION FEES, TO PROVIDE CERTAIN REGISTRATION FEES, TO PROVIDE FOR DEPOSIT OF MONEYS, TO PROVIDE CORRECT CODE REFERENCES, TO REVISE CERTAIN REGISTRATION AND ADMINISTRATIVE FEES, TO PROVIDE EFFECTIVE DATES, TO PROVIDE OPTIONS TO CERTAIN ANNUAL REGISTRATIONS, TO SPECIFY PROCESS PROVISIONS, TO PROVIDE FOR ADMINISTRATIVE FEES, TO DELETE REFERENCE TO PROVISIONS RELATING TO REGISTRATION FEES FOR SPECIFIED COMMERCIAL AND FARM VEHICLES, TO PROVIDE FOR REGISTRATION FEES FOR SPECIFIED COMMERCIAL AND FARM VEHICLES, TO REVISE FEE PROVISIONS RELATING TO SPECIFIED COMMERCIAL AND FARM VEHICLES AND TO DELETE REFERENCE TO CERTAIN USE FEES; AMENDING SECTION 49-435, IDAHO CODE, TO REVISE AN IDENTIFICATION CHARGE, TO REVISE A CODE REFERENCE AND TO CLARIFY

THAT CERTAIN FEES SHALL BE PAID PURSUANT TO APPLICABLE CODE REFERENCES; AMENDING SECTION 49-439, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-443, IDAHO CODE, TO PROVIDE CODE REFERENCES, TO REVISE CODE REFERENCES AND TO REVISE CERTAIN TRANSFER FEES RELATING TO VEHICLES DESTROYED BY FIRE OR ACCIDENT; AMENDING SECTION 49-450, IDAHO CODE, TO REVISE THE FEE RELATING TO THE ISSUANCE OF PLATES; AMENDING SECTION 67-7122, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701A, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION FUND, TO PROVIDE FOR MONEYS CREDITED TO THE FUND, TO PROVIDE FOR INTEREST, TO PROVIDE FOR APPORTIONMENT OF FUND MONEYS, TO PROVIDE FOR CONTINUOUS APPROPRIATION AND TO PROVIDE FOR EXPENDITURES; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 255
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE OFFICE OF ENERGY RESOURCES; APPROPRIATING AND PROVIDING FOR THE TRANSFER OF MONEYS FROM THE SUSPENSE FUND; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 256
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING SECTION 33-1006, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE TRANSPORTATION SUPPORT PROGRAM, TO PROVIDE FOR THE ELIMINATION OF STATE REIMBURSEMENT FOR CERTAIN COSTS, TO REVISE STATE REIMBURSEMENT FOR CERTAIN COSTS, TO REVISE PROVISIONS RELATING TO THE CALCULATION FOR REIMBURSEMENT, TO REVISE PROVISIONS RELATING TO QUALIFYING AS A HARDSHIP, TO DELETE A LOAN PROVISION, TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL CALCULATE CERTAIN FUNDS LOST, TO PROVIDE FOR DISTRIBUTIONS TO SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS AND TO PROVIDE FOR THE USE OF DISTRIBUTIONS; AND AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN APPROPRIATION FOR PUBLIC CHARTER SCHOOLS AND TO REVISE PROVISIONS RELATING TO REIMBURSEMENT FOR PUBLIC CHARTER SCHOOL TRANSPORTATION COSTS.

H 253, H 254, H 255, and H 256 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1074, as amended, as amended, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1020, as amended, by Schroeder, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1108, as amended, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

First Reading of Engrossed Bills

H 203, as amended, and **H 233**, as amended, by Revenue and Taxation Committee, were introduced, read the first time by title, and filed for second reading.

H 97, as amended, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

HCR 29, H 214, and HJM 6, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1046 and S 1050, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1126, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1060, as amended, by Education Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 247** be returned to the Transportation and Defense Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **H 246** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 246 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 246** pass?"

Roll call resulted as follows:

AYES – Anderson, Bedke, Bilbao, Black, Block, Chadderdon, Eskridge, Gibbs, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Luker, Moyle, Patrick, Raybould, Ringo, Roberts, Shirley, Smith(24), Stevenson, Takasugi, Trail, Wills, Wood(27), Mr. Speaker. Total – 27.

NAYS – Andrus, Barrett, Bayer, Bell, Boe, Bolz, Boyle, Burgoyne, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Hagedorn, Hart, Harwood, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Thayne, Thompson, Wood(35). Total – 43.

Paired Votes:

AYE – Smith(24) NAY – Boe

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 246** failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, March 20, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:23 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 20, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Harwood, Marriott, Takasugi.

Total – 3.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Andres Figueroa, Page.

Approval of Journal

March 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-seventh Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 19, 2009

Mr. Speaker:

I return herewith enrolled **H 36**, **H 37**, **H 83**, **H 51**, and **H 102** which have been signed by the President.

WOOD, Secretary

Enrolled **H 36**, **H 37**, **H 83**, **H 51**, and **H 102** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 19, 2009

Mr. Speaker:

I transmit herewith **S 1142** which has passed the Senate.

WOOD, Secretary

S 1142 was filed for first reading.

March 19, 2009

Mr. Speaker:

I return herewith **H 99**, **H 100**, **H 121**, and **H 119** which have passed the Senate.

WOOD, Secretary

H 99, **H 100**, **H 121**, and **H 119** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 253**, **H 254**, **H 255**, and **H 256**.

CLARK, Chairman

H 253 was referred to the Revenue and Taxation Committee.

H 254 was referred to the Transportation and Defense Committee.

H 255 was filed for second reading.

H 256 was referred to the Education Committee.

March 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 57**, **H 78**, **H 40**, **H 137**, **H 59**, and **H 60**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 57**, **H 78**, **H 40**, **H 137**, **H 59**, and **H 60** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 70**, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate.

CLARK, Chairman

H 70, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate, were filed for first reading of engrossed bills.

March 19, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 31**, as amended in the Senate, **H 34**, as amended in the Senate, **H 79**, as amended in the Senate, and **H 132**, as amended in the Senate, to the Governor at 2 p.m., as of this date, March 19, 2009.

CLARK, Chairman

March 19, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **S 1138** and recommend that it do pass.

LAKE, Chairman

S 1138 was filed for second reading.

March 18, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 229** and **H 202** and recommend that they do pass.

LOERTSCHER, Chairman

H 229 and **H 202** were filed for second reading.

March 19, 2009

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 230**, **H 231**, and **S 1122** and recommend that they do pass.

SCHAEFER, Chairman

H 230, **H 231**, and **S 1122** were filed for second reading.

March 19, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 240** and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

H 240 was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 8 BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the right to a private, secret ballot when voting on external representation is fundamentally inherent in our representative Republic and shall not be infringed upon; and

WHEREAS, the passage of the Employee Free Choice Act (EFCA), or any components contained within the Act, would allow, in place of a federally supervised private ballot election, a system known as "card check," whereby employees sign valid authorizations designating an individual or labor organization as the employees' bargaining representative; and

WHEREAS, the "card check" system would facilitate coercion and intimidation by permitting the union authorization cards to be signed before union organizers; and

WHEREAS, in a March of 2008 nationwide telephone survey of 1,000 adults, conducted by the polling company, inc., seventy-nine percent of the American people agreed that every worker should continue to have the right to a federally supervised secret ballot election when deciding whether to organize a union. The support for this proposition was overwhelmingly tri-partisan, with seventy-seven percent of Republicans, eighty-two percent of Democrats and seventy-nine percent of independents so agreeing; and

WHEREAS, a June of 2004 national random telephone survey of over 700 union members conducted by Zogby International found that fifty-three percent of the respondents believed that having the government hold a secret ballot election and keeping the workers' decisions private was the more fair way to become part of a union; and

WHEREAS, in July of 2002, Bruce G. Esgar, an employee of MGM Grand Hotel, Inc. in Las Vegas, testified before the United States House of Representatives Committee on Education and the Workforce that the Culinary Workers Union, Local 226, used

threats of job loss and loss of health and the 401k benefits if the authorization card was not signed; and

WHEREAS, according to the United States Chamber of Commerce, Representative George Miller, the Chairman of the United States House of Representatives Education and Labor Committee and a staunch supporter of the American "card check" bill, along with fifteen other members of Congress, sent a letter to Mexican government officials in August of 2001, stating "we feel that the private ballot is absolutely necessary in order to ensure workers are not intimidated into voting for a union they may otherwise not choose"; and

WHEREAS, the EFCA's mandatory binding arbitration provisions deny workers the right to participate in the collective bargaining process between employees and the union; and

WHEREAS, the so-called "card check" legislation, such as the EFCA, is detrimental to the rights of workers and is an offense against democratic principles; and

WHEREAS, the Idaho Legislature finds that the EFCA is detrimental to the rights of workers and an offense against democratic principles.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Senate and the House of Representatives of the United States Congress assembled and the congressional delegation representing the state of Idaho in the Congress of the United States are strongly urged to vote "no" on cloture and on final passage of the Employee Free Choice Act and oppose any of its components in 2009, and in future years.

BE IT FURTHER RESOLVED that the members of the Idaho Legislature strongly urge all members of the United States Congress to vote "no" on final passage of the Employee Free Choice Act and oppose any of its components in 2009, and in future years.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 8 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 257 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO TAXES ON CIGARETTE AND TOBACCO PRODUCTS; AMENDING SECTION 63-2520, IDAHO CODE, TO REVISE THE DISTRIBUTION OF CERTAIN MONEYS COLLECTED AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 258 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO A SPECIALTY LIMITED HEATING CONTRACTOR/JOURNEYMAN; AMENDING SECTION 54-5009, IDAHO CODE, TO PROVIDE FIVE CLASSIFICATIONS OF LICENSURE AND TO DEFINE A "SPECIALTY LIMITED HEATING CONTRACTOR/JOURNEYMAN"; AND AMENDING SECTION 54-5012, IDAHO CODE, TO PROVIDE FEES FOR

APPLICATION FOR EXAMINATION FOR A SPECIALTY LIMITED HEATING CONTRACTOR/JOURNEYMAN LICENSE.

HOUSE BILL NO. 259
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO TAXES AND MINING; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 63-3022, IDAHO CODE, TO PROVIDE FOR A CERTAIN DEDUCTION FROM CORPORATE INCOME TAX; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE PROVISIONS RELATING TO THE PRODUCTION AND DISTRIBUTION OF CERTAIN SILVER MEDALLIONS AND SILVER BARS, TO PROVIDE FOR RULES, TO PROVIDE THAT THE STATE TREASURER SHALL VALUE CERTAIN SILVER MEDALLIONS AND BARS, TO PROVIDE FOR THE ACCEPTANCE BY THE STATE TREASURER OF CERTAIN SILVER MEDALLIONS AND BARS FOR PAYMENT, TO PROVIDE FOR SUSPENSION OF ACQUISITION OF MEDALLIONS AND BARS, TO PROVIDE FOR THE DESIGN OF CERTAIN SILVER MEDALLIONS AND BARS, TO PROVIDE PROVISIONS RELATING TO THE DISTRIBUTION OF CERTAIN SILVER MEDALLIONS AND BARS, TO PROVIDE THAT THE STATE TREASURER HAS THE AUTHORITY TO HEDGE ITS SILVER POSITION IN THE FINANCIAL MARKETS, TO PROVIDE PROVISIONS RELATING TO EXEMPTIONS FROM TAXATION OR FROM ANY SPECIAL ASSESSMENT FOR CERTAIN NEW CAPITAL INVESTMENTS, TO PROVIDE PROVISIONS RELATING TO THE LOCATION OF A CERTAIN NEW FACILITY FOR THE PRODUCTION OF SILVER AND OTHER METALS FROM SILVER ORE OR SILVER ORE CONCENTRATE, TO DEFINE TERMS, TO PROVIDE FOR DETERMINING CERTAIN INVESTMENT VALUE, TO PROVIDE FOR EXCLUSIONS AND TO PROVIDE FOR RULES; AMENDING SECTION 67-1223, IDAHO CODE, TO PROVIDE THAT THE STATE TREASURER SHALL OBTAIN A FEDERAL TRADEMARK ON THE DESIGN OF EACH SERIES OF IDAHO GEMS, TO PROVIDE THAT THE DESIGN OF EACH SERIES OF IDAHO GEMS IS PROPERTY OF THE STATE, TO PROVIDE PROVISIONS RELATING TO INFRINGEMENT OF TRADEMARK AND TO PROVIDE FOR PENALTIES; AMENDING CHAPTER 12, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1226, IDAHO CODE, TO ESTABLISH THE MINING INFRASTRUCTURE DEVELOPMENT FUND, TO PROVIDE FOR MONEYS DEPOSITED IN THE FUND AND TO PROVIDE FOR USE OF FUND MONEYS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 260
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO SKILLED NURSING FACILITY ASSESSMENT ACT; AMENDING TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 15, TITLE 56, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE FOR THE NURSING FACILITY ASSESSMENT FUND, TO PROVIDE FOR NURSING FACILITY ASSESSMENTS, TO PROVIDE FOR STATE PLAN APPROVAL, TO PROVIDE FOR MULTIFACILITY LOCATIONS, TO PROVIDE FOR THE TERMINATION OF

ASSESSMENT, TO PROVIDE PENALTIES FOR FAILURE TO PAY ASSESSMENT, TO PROVIDE FOR RULEMAKING AUTHORITY AND TO PROVIDE FOR QUARTERLY NURSING FACILITY ADJUSTMENT PAYMENTS WITH A SUNSET PROVISION.

HOUSE BILL NO. 261
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO OCCUPATIONAL THERAPY; AMENDING SECTION 54-3701, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3702, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 54-3703, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3704, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EXEMPTIONS, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE CERTAIN CERTIFICATION PROVISIONS; AMENDING SECTION 54-3705, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LIMITED PERMITS, TO PROVIDE A CORRECT CODE REFERENCE AND TO PROVIDE FOR TEMPORARY LICENSES; AMENDING SECTION 54-3706, IDAHO CODE, TO REVISE REQUIREMENTS FOR LICENSURE; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3707, IDAHO CODE, TO PROVIDE FOR APPLICATIONS FOR LICENSURE; AMENDING SECTION 54-3707, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE EXAMINATION FOR LICENSURE PROVISIONS, TO PROVIDE THAT CERTAIN APPLICANTS WHO FAIL TO PASS THE EXAMINATION MUST SUBMIT A NEW APPLICATION AND TO LIMIT THE PERIOD OF TIME WHICH AN APPLICATION WILL BE HELD; AMENDING SECTION 54-3708, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY AND TO REVISE CERTIFYING ENTITY PROVISIONS; AMENDING SECTION 54-3709, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DELETE REFERENCE TO RECOMMENDATION OF THE LICENSURE BOARD AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3710, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE FOR THE TERM OF LICENSES AND TO PROVIDE FOR THE RENEWAL AND REINSTATEMENT OF LICENSES; AMENDING SECTION 54-3711, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR TEMPORARY FEES AND REINSTATEMENT FEES; AMENDING SECTION 54-3712, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DELETE REFERENCE TO RECOMMENDATION OF THE LICENSURE BOARD, TO REFERENCE CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE CODE REFERENCES, TO DELETE PROVISIONS RELATING TO UNPROFESSIONAL CONDUCT AND REFERENCE TO RULES, TO PROVIDE FOR RENEWAL OF SUSPENDED LICENSES, TO PROVIDE FOR CERTAIN REVOKED LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3713, IDAHO CODE, TO REDESIGNATE THE SECTION, TO CLARIFY THE NAME OF THE BOARD, TO PROVIDE FOR APPOINTMENT AND REMOVAL OF BOARD MEMBERS BY THE GOVERNOR AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION

54-3715, IDAHO CODE, TO PROVIDE FOR SUPERVISION; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3716, IDAHO CODE, TO PROVIDE FOR COMPLAINTS; AMENDING SECTION 54-3714, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE AND PROVIDE FOR POWERS AND DUTIES OF THE BOARD; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3718, IDAHO CODE, TO PROVIDE GROUNDS FOR ACTION AGAINST A LICENSEE FOR UNPROFESSIONAL CONDUCT; AMENDING SECTION 54-3715, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR THE DISPOSITION OF RECEIPTS AND EXPENSES, TO DELETE REFERENCE TO THE DIRECTOR OF THE IDAHO STATE BOARD OF MEDICINE AND THE STATE BOARD OF MEDICINE ACCOUNT, TO PROVIDE CORRECT TERMINOLOGY AND TO SET FORTH PROVISIONS RELATING TO THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-3716, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR DISCIPLINARY ACTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3721, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL THERAPY LICENSURE FUND; AND AMENDING SECTION 54-3717, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY.

H 257, H 258, H 259, H 260, and H 261 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1142, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

First Reading of Engrossed Bills

H 70, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title, and filed for second reading.

H 152, as amended in the Senate, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

H 76, as amended in the Senate, by Business Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 250, by Appropriations Committee, was read the second time by title and filed for third reading.

HJM 4 and H 241, by State Affairs Committee, were read the second time by title and filed for third reading.

H 242, H 203, as amended, and **H 233**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

S 1053, as amended, and **S 1054**, by Transportation Committee, were read the second time by title and filed for third reading.

H 97, as amended, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

At this time, Mr. Moyle took the Chair.

Mr. Nonini asked unanimous consent that **H 225** be returned to the Education Committee. There being no objection, it was so ordered.

H 226 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hagedorn to open debate.

The question being, "Shall **H 226** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 64.

NAYS – None.

Absent and excused – Harwood, Marriott, Shirley, Smith(24), Takasugi, Mr. Speaker. Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 226** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 24 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hagedorn to open debate.

The question being, "Shall **H 24** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Loertscher, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 58.

NAYS – Clark, Labrador, Luker, Moyle, Roberts. Total – 5.

Absent and excused – Harwood, Lake, Marriott, Shirley, Smith(24), Takasugi, Mr. Speaker. Total – 7.

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 24** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 232 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Schaefer to open debate.

The question being, "Shall **H 232** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 65.

NAYS – None.

Absent and excused – Harwood, Marriott, Smith(24), Takasugi, Mr. Speaker. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 232** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 84 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Pence and Mr. Durst to open debate.

The question being, "Shall **H 84** pass?"

Roll call resulted as follows:

AYES – Anderson, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Thayne, Thompson, Trail, Wills, Wood(27). Total – 57.

NAYS – Andrus, Hagedorn, Loertscher, Nielsen, Schaefer, Shepherd(08), Wood(35). Total – 7.

Absent and excused – Harwood, Marriott, Roberts, Smith(24), Takasugi, Mr. Speaker. Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 84** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 218 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hart to open debate.

Mr. Cronin asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 218**. There being no objection it was so ordered.

The question being, "Shall **H 218** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer,

Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

NAYS – Bell, Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Jaquet, Killen, King, Ringo, Rusche, Sayler, Smith(30), Trail. Total – 15.

Absent and excused – Harwood, Marriott, Smith(24), Takasugi. Total – 4.

Paired Votes:

AYE – Mr. Speaker NAY – Jaquet

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 218** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 214 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Boyle to open debate.

The question being, "Shall **H 214** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Block, Boyle, Chadderdon, Collins, Crane, Durst, Hagedorn, Hart, Hartgen, Henderson, Jarvis, Kren, Labrador, Loertscher, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Schaefer, Shepherd(02), Shepherd(08), Simpson, Thompson, Wood(35). Total – 31.

NAYS – Bedke, Black, Boe, Bolz, Burgoyne, Chavez, Chew, Clark, Cronin, Eskridge, Gibbs, Higgins, Jaquet, Killen, King, Lake, Luker, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Smith(30), Stevenson, Thayne, Trail, Wills, Wood(27). Total – 32.

Absent and excused – Anderson, Harwood, Marriott, Shirley, Smith(24), Takasugi, Mr. Speaker. Total – 7.

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 214** failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 23, 2009. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 20, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 252** and recommend that it do pass.

NONINI, Chairman

H 252 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 262
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-521, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SEVERANCE PAYMENTS; AMENDING SECTION 33-1004A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DETERMINATION OF CERTAIN ALLOWANCES; AMENDING SECTION 33-1004G, IDAHO CODE, TO REVISE PROVISIONS RELATING TO AN EARLY RETIREMENT INCENTIVE; REPEALING SECTION 33-1004G, IDAHO CODE, RELATING TO AN EARLY RETIREMENT INCENTIVE; AMENDING SECTION 33-1004H, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EMPLOYING RETIRED TEACHERS AND ADMINISTRATORS; DECLARING THAT THE LEGISLATURE RECOGNIZES THAT SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS WILL RECEIVE REDUCED FUNDING AND ENCOURAGES THE DISTRICTS AND PUBLIC CHARTER SCHOOLS TO ACCOMMODATE SUCH REDUCTIONS; DECLARING AN EMERGENCY, PROVIDING A RETROACTIVE EFFECTIVE DATE AND PROVIDING EFFECTIVE DATES.

H 262 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 11 a.m., Monday, March 23, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:33 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 23, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Palmer, Thompson. Total – 2.
Total – 70.

Prayer was offered by guest chaplain, Pastor Gary Moore.

The Pledge of Allegiance was led by Anna Richter, Page.

Approval of Journal

March 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-eighth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 20, 2009

Mr. Speaker:

I return herewith enrolled **H 143** which has been signed by the President.

WOOD, Secretary

Enrolled **H 143** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 20, 2009

Mr. Speaker:

I transmit herewith **SCR 109** and **S 1146** which have passed the Senate.

WOOD, Secretary

SCR 109 and **S 1146** were filed for first reading.

March 20, 2009

Mr. Speaker:

I return herewith **H 142**, **H 87**, **H 103**, and **H 104** which have passed the Senate.

WOOD, Secretary

H 142, **H 87**, **H 103**, and **H 104** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HJM 8**, **H 257**, **H 258**, **H 259**, **H 260**, **H 261**, and **H 262**.

CLARK, Chairman

HJM 8 was referred to the State Affairs Committee.

H 257 and **H 259** were referred to the Revenue and Taxation Committee.

H 258 and **H 261** were referred to the Business Committee.

H 260 was referred to the Health and Welfare Committee.

H 262 was referred to the Education Committee.

March 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 99**, **H 100**, **H 121**, and **H 119**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 99**, **H 100**, **H 121**, and **H 119** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 36**, **H 37**, **H 83**, **H 51**, and **H 102** to the Governor at 12:45 p.m., as of this date, March 20, 2009.

CLARK, Chairman

March 20, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 245** and **HJM 7** and recommend that they do pass.

NONINI, Chairman

H 245 and **HJM 7** were filed for second reading.

March 23, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 249** and recommend that it do pass.

LOERTSCHER, Chairman

H 249 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 109, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 263
BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE STATE CONTROLLER; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 10, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1020, IDAHO CODE, TO DEFINE TERMS AND TO REQUIRE THE STATE CONTROLLER WITH THE ASSISTANCE OF THE DIVISION OF FINANCIAL MANAGEMENT AND THE LEGISLATIVE SERVICES OFFICE TO CONSTRUCT AND COMPILE A SEARCHABLE BUDGET DATABASE WEBSITE FOR STATE SPENDING.

H 263 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1146, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 255, by Appropriations Committee, was read the second time by title and filed for third reading.

S 1138 and **S 1122**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

H 229, **H 202**, **H 230**, and **H 231**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 70, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 152, as amended in the Senate, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 76, as amended in the Senate, by Business Committee, was read the second time by title and filed for third reading.

H 252, by Education Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 250 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

Mrs. Bell asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 250**. There being no objection it was so ordered.

The question being, "Shall **H 250** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez,

Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Barrett, Harwood, Loertscher. Total – 3.

Absent and excused – Palmer, Shirley, Thompson. Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 250** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 242 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Simpson to open debate.

Mr. Simpson asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 242**. There being no objection it was so ordered.

The question being, "Shall **H 242** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Luker, Roberts, Thayn. Total – 3.

Absent and excused – Palmer, Thompson. Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 242** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 241 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall **H 241** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Kren. Total – 1.

Absent and excused – Palmer, Thompson. Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 241** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 203, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 203**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Palmer, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 203**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 97, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 97**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Mr. Speaker. Total – 63.

NAYS – Barrett, Harwood, Mathews, Nonini, Wood(35). Total – 5.

Absent and excused – Palmer, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 97**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 233, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall **H 233**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Palmer, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 233**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 23 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Pasley-Stuart and Mrs. Boe to open debate.

The question being, "Shall **HCR 23** be adopted?"

Whereupon the Speaker declared **HCR 23** adopted by voice vote and ordered the resolution transmitted to the Senate.

HCR 26 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **HCR 26** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Black, Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Hart, Hartgen, Henderson, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Rusche, Sayler, Trail. Total – 20.

NAYS – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Harwood, Higgins, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Patrick, Raybould, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 48.

Absent and excused – Palmer, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared **HCR 26** failed to be adopted and ordered the resolution filed in the office of the Chief Clerk.

HCR 29 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **HCR 29** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley,

Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Boe, Palmer, Thompson. Total – 3.
Total – 70.

Whereupon the Speaker declared **HCR 29** adopted and ordered the resolution transmitted to the Senate.

Mr. Hart asked unanimous consent that his vote on **HCR 26** be changed from "AYE" to "NAY". Mr. Roberts objected.

HJM 5 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **HJM 5** be adopted?"

Whereupon the Speaker declared **HJM 5** adopted by voice vote and ordered the memorial transmitted to the Senate.

HJM 6 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall **HJM 6** be adopted?"

Whereupon the Speaker declared **HJM 6** adopted by voice vote and ordered the memorial transmitted to the Senate.

HJM 4 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

Mr. Harwood asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **HJM 4**. There being no objection it was so ordered.

The question being, "Shall **HJM 4** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(35), Mr. Speaker. Total – 51.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Jaquet, Killen, King, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Rusche, Saylor, Smith(30). Total – 17.

Absent and excused – Thompson, Wood(27). Total – 2.
Total – 70.

Whereupon the Speaker declared **HJM 4** adopted and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 23, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 256** and recommend that it do pass.

NONINI, Chairman

H 256 was filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, March 24, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:25 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 24, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by guest chaplain, Pastor Gary Moore.

The Pledge of Allegiance was led by Philip Alexander, Page.

Approval of Journal

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-first Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate OFFICE OF THE GOVERNOR Boise

March 23, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 31, as amended in the Senate, **H 34**, as amended in the Senate, **H 36**, **H 37**, **H 51**, **H 79**, as amended in the Senate, **H 83**, **H 102**, and **H 132**, as amended in the Senate,

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

March 23, 2009

Mr. Speaker:

I return herewith enrolled **H 57**, **H 78**, **H 40**, **H 137**, **H 59**, and **H 60** which have been signed by the President.

WOOD, Secretary

Enrolled **H 57**, **H 78**, **H 40**, **H 137**, **H 59**, and **H 60** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 23, 2009

Mr. Speaker:

I return herewith **H 10**, **H 105**, **H 55**, **H 88**, **H 89**, **H 90**, **H 91**, **H 92**, **H 109**, **H 193**, **H 154**, as amended, **H 107**, **H 179**, **H 184**, **H 101**, **H 125**, and **H 126** which have passed the Senate.

WOOD, Secretary

H 10, **H 105**, **H 55**, **H 88**, **H 89**, **H 90**, **H 91**, **H 92**, **H 109**, **H 193**, **H 154**, as amended, **H 107**, **H 179**, **H 184**, **H 101**, **H 125**, and **H 126** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 263**.

CLARK, Chairman

H 263 was referred to the State Affairs Committee.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 142**, **H 87**, **H 103**, and **H 104**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 142**, **H 87**, **H 103**, and **H 104** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 143** to the Governor at 1:25 p.m., as of this date, March 23, 2009.

CLARK, Chairman

March 23, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 225** and report it back with amendments attached to be placed on General Orders for consideration.

NONINI, Chairman

H 225 was placed on General Orders for consideration.

March 23, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 261** and recommend that it do pass.

BLACK, Chairman

H 261 was filed for second reading.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 262** and recommend that it do pass.

NONINI, Chairman

H 262 was filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 245, HJM 7, and H 256, by Education Committee, were read the second time by title and filed for third reading.

H 249, by State Affairs Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Roberts moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, Mr. Moyle took the Chair and the House was in order.

Report of the Committee of the Whole House

March 24, 2009

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 198, H 216, H 244, and H 240** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 198

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 14 through 24 and insert:

"67-2323. WRITTEN AGREEMENT BEFORE TRANSFER – PUBLICATION OF NOTICE. Prior to any such conveyance or transfer, a written agreement shall be made between units of government or districts for a conveyance or transfer of real or personal property from one to the other with or without consideration.

Notice of the general terms of the agreement shall be published for two (2) consecutive weeks given by publication in at least two (2) issues in a newspaper printed or of general circulation in the county or counties in which such respective units are located and having general circulation within such county or counties. Said notice shall give time and place of the next regular or special meeting of each respective unit at which time the governing board of such units propose to ratify such an agreement. The first publication shall be made not less than twelve (12) days prior to each meeting, and the last publication of notice shall be made not less than five (5) days prior to each meeting."

CORRECTION TO TITLE

On page 1, delete lines 6 through 10 and insert: "NOTICE."

HOUSE AMENDMENT TO H.B. NO. 216

AMENDMENT TO SECTION 3

On page 5 of the printed bill, in line 27, delete ", PHARMACIES"; in line 28, delete "AND INSTITUTIONS"; and also in line 28, delete "person" and insert: "pharmacist"; in line 30, delete "person" and insert: "pharmacist or employer of the pharmacist"; and also in line 30, following "for" insert: "the

pharmacist"; in line 35, delete ", pharmacy or institution" and insert: "or employer of the pharmacist".

CORRECTION TO TITLE

On page 1, in line 7, delete ", PHARMACIES"; in line 8, delete "AND INSTITUTIONS" and insert: "OR EMPLOYER OF THE PHARMACIST".

HOUSE AMENDMENT TO H.B. NO. 244

AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 15 through 44; and delete pages 3 and 4.

CORRECTIONS TO TITLE

On page 1, in line 4, following "LIMITS" delete "; AMENDING SECTION"; delete lines 5 through 14 and insert: "AND TO PROVIDE CORRECT TERMINOLOGY".

HOUSE AMENDMENT TO H.B. NO. 240

AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 18 through 20 and insert: "each claimant. ~~However, claims filed under section 36 1108, Idaho Code, shall have priority and will be paid prior to claims filed under sections 36 1109 and 36 1110, Idaho Code.~~"; and on page 3, delete lines 38 through 40 and insert: "authorize a proportionate amount to be paid to each claimant. ~~However, claims filed under section 36 1108, Idaho Code, shall have priority and will be paid prior to claims filed under sections 36 1109 and 36 1110, Idaho Code.~~".

CORRECTION TO TITLE

On page 1, in line 3, following "THE" insert: "EXPENDABLE".

Bedke, Chairman

Mr. Bedke moved that the reported be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker Pro Tem declared the report adopted.

H 198, as amended, **H 216**, as amended, **H 244**, as amended, and **H 240**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 255 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 255** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini,

Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker Pro Tem declared that **H 255** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 229 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **H 229** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Ruchti, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Boe, Burgoyne, Chavez, Cronin, Jaquet, Pasley-Stuart, Pence, Ringo, Saylor. Total – 9.

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 229** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 202 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Boyle to open debate.

Mr. Crane asked unanimous consent that, pursuant to Rule 22, discussion of H 218 be allowed in debate of **H 202**. There being no objection it was so ordered.

Pursuant to Rule 38(3), Mr. Crane disclosed a conflict of interest regarding **H 202**.

The question being, "Shall **H 202** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Black, Block, Boyle, Chadderdon, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Stevenson, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 49.

NAYS – Bilbao, Boe, Bolz, Burgoyne, Chavez, Chew, Crane, Durst, Jaquet, Killen, King, Pence, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Smith(30), Smith(24), Takasugi, Trail. Total – 21.

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 202** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that the House recess until 1:30 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 230 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall **H 230** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 63.

NAYS – Barrett, Harwood, Mathews, Moyle. Total – 4.

Absent and excused – Black, Roberts, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 230** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 231 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 231** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Kren, Labrador. Total – 2.

Absent and excused – Black. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 231** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 70, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 70**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Black. Total – 1.

Total – 70.

Whereupon the Speaker declared **H 70**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 152, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **H 152**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Black. Total – 1.

Total – 70.

Whereupon the Speaker declared **H 152**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 76, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Takasugi to open debate.

The question being, "Shall **H 76**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Burgoyne, Killen, Luker. Total – 3.

Total – 70.

Whereupon the Speaker declared **H 76**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 252 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

Mr. Nonini asked unanimous consent that, pursuant to Rule 22, discussion of other legislation be allowed in debate of **H 252**. There being no objection it was so ordered.

The question being, "Shall **H 252** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Simpson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 252** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, March 25, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at
2:10 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 25, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by guest chaplain, Pastor Gary Moore.

The Pledge of Allegiance was led by Taleesha Willie, Page.

Approval of Journal

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 24, 2009

Mr. Speaker:

I return herewith enrolled **H 99**, **H 100**, **H 121**, and **H 119** which have been signed by the President.

WOOD, Secretary

Enrolled **H 99**, **H 100**, **H 121**, and **H 119** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 24, 2009

Mr. Speaker:

I return herewith **H 127**, **H 41**, **H 75**, and **H 192** which have passed the Senate.

WOOD, Secretary

H 127, **H 41**, **H 75**, and **H 192** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed House amendments to **H 198**, **H 216**, **H 244**, and **H 240**.

CLARK, Chairman

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 10**, **H 105**, **H 55**, **H 88**, **H 89**, **H 90**, **H 91**, **H 92**, **H 109**, **H 193**, **H 154**, as amended, **H 107**, **H 179**, **H 184**, **H 101**, **H 125**, **H 126**, **H 70**, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 10**, **H 105**, **H 55**, **H 88**, **H 89**, **H 90**, **H 91**, **H 92**, **H 109**, **H 193**, **H 154**, as amended, **H 107**, **H 179**, **H 184**, **H 101**, **H 125**, **H 126**, **H 70**, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 198**, as amended, **H 216**, as amended, **H 244**, as amended, and **H 240**, as amended.

CLARK, Chairman

H 198, as amended, **H 216**, as amended, **H 244**, as amended, and **H 240**, as amended, were filed for first reading of engrossed bills.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 57**, **H 78**, **H 40**, **H 137**, **H 59**, and **H 60** to the Governor at 1:30 p.m., as of this date, March 24, 2009.

CLARK, Chairman

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1123** and **S 1011** and recommend that they do pass.

LOERTSCHER, Chairman

S 1123 and **S 1011** were filed for second reading.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 251** and recommend that it do pass.

NONINI, Chairman

H 251 was filed for second reading.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 253** and **H 257** and recommend that they do pass.

LAKE, Chairman

H 253 and **H 257** were filed for second reading.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **SCR 109** and recommend that it do pass.

TRAIL, Chairman

SCR 109 was filed for second reading.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **S 1132** and recommend that it do pass.

RAYBOULD, Chairman

S 1132 was filed for second reading.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 260**, **S 1129**, and **S 1108**, as amended, and recommend that they do pass.

BLOCK, Chairman

H 260, **S 1129**, and **S 1108**, as amended, were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 264 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO WATER; TO PROVIDE THAT THE IDAHO WATER RESOURCE BOARD HAS PREPARED AND ADOPTED THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN FOR THE EASTERN SNAKE PLAIN AQUIFER AS A COMPONENT OF THE COMPREHENSIVE STATE WATER PLAN, TO PROVIDE THAT THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN IS APPROVED AS A COMPONENT OF THE COMPREHENSIVE STATE WATER PLAN, TO PROVIDE THAT STATE AGENCIES SHALL EXERCISE DUTIES IN A MANNER CONSISTENT WITH THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN, TO PROVIDE THAT THE IDAHO WATER RESOURCE BOARD SHALL PREPARE AND SUBMIT TO THE LEGISLATURE FOR APPROVAL A FUNDING MECHANISM, TO PROVIDE CRITERIA FOR THE FUNDING MECHANISM, TO PROVIDE THAT THE IDAHO WATER RESOURCE BOARD SHALL PREPARE AND SUBMIT, WITH THE ASSISTANCE OF THE IMPLEMENTATION COMMITTEE, ANY SUBSEQUENT PROPOSED CHANGES TO THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN, TO PROVIDE CRITERIA FOR IMPLEMENTATION PLANS, TO PROVIDE THAT IMPLEMENTATION OF PHASE I OF THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN IS SUBJECT TO LEGISLATIVE APPROVAL OF A FUNDING MECHANISM, TO PROVIDE CRITERIA FOR THE FUNDING MECHANISM, TO PROVIDE THAT PROVISIONS DO NOT CONSTITUTE AN OBLIGATION OF STATE FUNDS, TO PROVIDE THAT ANY STATE FUNDING SHALL BE SUBJECT TO THE AVAILABILITY OF FUNDS, TO PROVIDE FOR THE USE OF PREVIOUSLY APPROPRIATED FUNDS, TO PROVIDE THAT THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN RECOGNIZES INCIDENTAL GROUND WATER RECHARGE IS AN IMPORTANT COMPONENT OF THE EASTERN SNAKE PLAIN AQUIFER WATER SUPPLY AND TO PROVIDE THAT THE COMPREHENSIVE AQUIFER

MANAGEMENT PLAN SHALL INCLUDE SPECIFIED MEASURES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 265 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO THE LEGISLATIVE SERVICES OFFICE; AMENDING SECTION 67-704, IDAHO CODE, AS ENACTED BY SECTION 11, SENATE BILL NO. 1043, FIRST REGULAR SESSION, SIXTIETH IDAHO LEGISLATURE, TO REVISE DUTIES OF THE RESEARCH AND LEGISLATION FUNCTION OF THE LEGISLATIVE SERVICES OFFICE.

HOUSE BILL NO. 266 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO ADMINISTRATIVE RULES; CONTINUING CERTAIN RULES IN FULL FORCE AND EFFECT UNTIL JULY 1, 2010; CONTINUING RULES APPROVED OR EXTENDED BY ADOPTION OF A CONCURRENT RESOLUTION OF THE FIRST REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE IN FULL FORCE AND EFFECT UNTIL JULY 1, 2010, OR UNTIL SUCH TIME AS THEY SHALL EXPIRE; PROVIDING THAT RULES REJECTED BY CONCURRENT RESOLUTION SHALL BE NULL, VOID AND OF NO FORCE AND EFFECT; AUTHORIZING AGENCIES TO AMEND OR REPEAL CERTAIN RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT AND DECLARING THE EFFECT OF THIS ACT UPON ADMINISTRATIVE RULES; AND PROVIDING SEVERABILITY.

HOUSE BILL NO. 267 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO THE HAZARDOUS SUBSTANCE EMERGENCY RESPONSE ACT; AMENDING SECTION 39-7102, IDAHO CODE, TO REVISE LEGISLATIVE FINDINGS AND PURPOSES; AMENDING SECTION 39-7103, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 39-7104, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE MILITARY DIVISION'S POWERS AND DUTIES; AMENDING SECTION 39-7109, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REIMBURSEMENT OF CERTAIN COSTS; AMENDING SECTION 39-7111, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LIABILITY FOR THE RELEASE OF A HAZARDOUS SUBSTANCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 39-7112, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RECOVERABLE COSTS AND CIVIL REMEDIES.

H 264, **H 265**, **H 266**, and **H 267** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 198, as amended, **H 216**, as amended, and **H 240**, as amended, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

H 244, as amended, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 261, by State Affairs Committee, was read the second time by title and filed for third reading.

H 262, by Education Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 264**.

CLARK, Chairman

H 264 was referred to the Resources and Conservation Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mrs. Block asked unanimous consent that **S 1129** be returned to the Health and Welfare Committee. There being no objection, it was so ordered.

Mr. Nonini asked unanimous consent that **S 1121** be placed on General Orders for consideration. There being no objection it was so ordered.

H 245 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cronin and Mr. Durst to open debate.

The question being, "Shall **H 245** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 59.

NAYS – Barrett, Bedke, Bell, Clark, Hart, Loertscher, Mathews, Moyle, Patrick, Wood(35). Total – 10.

Absent and excused – McGeachin. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 245** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 249 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon and Mr. Henderson to open debate.

Mr. Clark moved that **H 249** be placed on General Orders for consideration. Seconded by Mr. Sayler.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and **H 249** was placed on General Orders for consideration.

H 256 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

Mr. Rusche asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 256**. There being no objection it was so ordered.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 256, having previously been read the third time at length, was placed before the House for consideration.

The question being, "Shall **H 256** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 50.

NAYS – Bayer, Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Luker, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Smith(30), Trail. Total – 20.

Total – 70.

Whereupon the Speaker declared that **H 256** passed the House. Title was approved and the bill ordered transmitted to the Senate.

HJM 7 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **HJM 7** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 56.

NAYS – Barrett, Clark, Eskridge, Hart, Lake, Loertscher, Ringo, Schaefer, Shepherd(08), Takasugi, Trail. Total – 11.
Absent and excused – Jaquet, Kren, Nonini. Total – 3.
Total – 70.

Whereupon the Speaker declared **HJM 7** adopted and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 26, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:37 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 26, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Anderson. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 25, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 143

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

March 25, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 40, H 57, H 59, H 78, and H 137

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

March 26, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 99 and H 100

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

March 25, 2009

Mr. Speaker:

I return herewith enrolled **H 142, H 87, H 103, and H 104** which have been signed by the President.

WOOD, Secretary

Enrolled **H 142, H 87, H 103, and H 104** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 25, 2009

Mr. Speaker:

I return herewith **H 185** which has passed the Senate.

WOOD, Secretary

H 185 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 265, H 266, and H 267**.

CLARK, Chairman

H 265 and H 266 were filed for second reading.

H 267 was referred to the Transportation and Defense Committee.

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 127, H 41, H 75, and H 192**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 127, H 41, H 75, and H 192** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 99**, **H 100**, **H 121**, and **H 119** to the Governor at 1:20 p.m., as of this date, March 25, 2009.

CLARK, Chairman

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1074**, as amended, as amended, and recommend that it do pass.

NONINI, Chairman

S 1074, as amended, as amended, was filed for second reading.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1097** and **S 1134** and recommend that they do pass.

WOOD, Chairman

S 1097 and **S 1134** were filed for second reading.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 131** and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

H 131 was placed on General Orders for consideration.

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1142** and recommend that it do pass.

LOERTSCHER, Chairman

S 1142 was filed for second reading.

March 24, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 237** and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

H 237 was placed on General Orders for consideration.

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 248** and recommend that it do pass.

SCHAEFER, Chairman

H 248 was filed for second reading.

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 258** and recommend that it do pass.

BLACK, Chairman

H 258 was filed for second reading.

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1013**, **SCR 107**, and **SCR 108** and recommend that they do pass.

LOERTSCHER, Chairman

S 1013, **SCR 107**, and **SCR 108** were filed for second reading.

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 264** and recommend that it do pass.

STEVENSON, Chairman

H 264 was filed for second reading.

March 25, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 138** and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

H 138 was placed on General Orders for consideration.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1123 and **S 1132**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1011, by Education Committee, was read the second time by title and filed for third reading.

H 251, by Education Committee, was read the second time by title and filed for third reading.

H 253, **H 257**, and **H 244**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

SCR 109, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

H 260, **H 198**, as amended, **H 216**, as amended, and **H 240**, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1108, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 261 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **H 261** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Block, McGeachin. Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 261** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 262 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

Mr. Nonini asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 262**. There being no objection it was so ordered.

Mr. Rusche asked unanimous consent that **H 262** be returned to the Education Committee. Mr. Nonini objected.

Mr. Rusche moved that **H 262** be returned to the Education Committee. Seconded by Mr. Ruchti.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Smith(30). Total – 18.

NAYS – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared the motion failed.

Mr. Rusche moved that **H 262** be placed on General Orders for consideration. Seconded by Mr. Ruchti.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Smith(30). Total – 18.

NAYS – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24),

Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared the motion failed.

Pursuant to Rule 38(3), Mr. Saylor disclosed a conflict of interest regarding **H 262**.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Bedke. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Anderson, Jaquet. Total – 2.

Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 262, having previously been read the third time at length, was placed before the House for consideration.

Pursuant to Rule 38(3), Mr. Durst disclosed a conflict of interest regarding **H 262**.

The question being, "Shall **H 262** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 49.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Smith(30), Trail. Total – 20.

Absent and excused – Kren. Total – 1.

Paired Votes:

AYE – Anderson

NAY – Higgins

AYE – Lake

NAY – Jaquet

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 262** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **S 1003** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

S 1042 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall **S 1042** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Anderson, Durst, Hagedorn, Jaquet, Kren, Labrador, Patrick, Rusche. Total – 8.

Total – 70.

Whereupon the Speaker declared that **S 1042** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1078 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **S 1078** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Anderson, Bedke, Durst, Hagedorn, Jaquet, Kren, Labrador, Patrick. Total – 8.

Total – 70.

Whereupon the Speaker declared that **S 1078** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1117 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Block to open debate.

The question being, "Shall **S 1117** pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – None.

Absent and excused – Anderson, Andrus, Bedke, Durst, Hagedorn, Jaquet, Kren, Labrador, Patrick, Rusche, Sayler. Total – 11.

Total – 70.

Whereupon the Speaker declared that **S 1117** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1066 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall **S 1066** pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Anderson, Andrus, Bedke, Jaquet, Kren, Labrador, Patrick, Rusche. Total – 8.

Total – 70.

Whereupon the Speaker declared that **S 1066** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1076 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Marriott to open debate.

The question being, "Shall **S 1076** pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Anderson, Andrus, Bedke, Jaquet, Kren, Patrick, Rusche. Total – 7.

Total – 70.

Whereupon the Speaker declared that **S 1076** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1017, as amended, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **S 1017**, as amended, as amended, pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Andrus, Jaquet. Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1017**, as amended, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1005, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1005**, as amended, pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Andrus, Jaquet, Wood(27).
Total – 4.
Total – 70.

Whereupon the Speaker declared that **S 1005**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1006, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **S 1006**, as amended, pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche,

Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Andrus, Eskridge, Jaquet.
Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1006**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1007 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1007** pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Andrus, Eskridge, Jaquet.
Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1007** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1106 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1106** pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Andrus, Jaquet. Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1106** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, March 27, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:32 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 27, 2009**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused – Anderson, Bedke, Smith(24), Wills.

Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Keisha Hale, Page.

Approval of Journal

March 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 26, 2009

Mr. Speaker:

I return herewith enrolled **H 10, H 105, H 55, H 88, H 89, H 90, H 91, H 92, H 109, H 193, H 154**, as amended, **H 107, H 179, H 184, H 101, H 125, H 126, H 70**, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 10, H 105, H 55, H 88, H 89, H 90, H 91, H 92, H 109, H 193, H 154**, as amended, **H 107, H 179, H 184, H 101, H 125, H 126, H 70**, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 26, 2009

Mr. Speaker:

I transmit herewith **S 1158, S 1150, S 1151, S 1152, S 1148**, and **S 1161** which have passed the Senate.

WOOD, Secretary

S 1158, S 1150, S 1151, S 1152, S 1148, and **S 1161** were filed for first reading.

Report of Standing Committees

March 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 185**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 185** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 142, H 87, H 103**, and **H 104** to the Governor at 1:45 p.m., as of this date, March 26, 2009.

CLARK, Chairman

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 135, S 1086, S 1088**, and **S 1137** and report them back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

H 135, S 1086, S 1088, and **S 1137** were placed on General Orders for consideration.

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1110** and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

S 1110 was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 268 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE LEGISLATIVE COUNCIL FOR FISCAL YEAR 2010; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES FROM THE PERMANENT BUILDING FUND; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES FROM THE PERMANENT BUILDING FUND; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; PROVIDING THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL DIRECT THE STATE CONTROLLER TO LIMIT THE FUNDS TRANSFER TO THE LEGISLATIVE FUND; AND DECLARING AN EMERGENCY FOR SECTION 6 OF THIS ACT.

HOUSE BILL NO. 269
BY EDUCATION COMMITTEE
AN ACT

RELATING TO COOPERATIVE SERVICE AGENCIES; AMENDING SECTION 33-317, IDAHO CODE, TO PERMIT A COOPERATIVE SERVICE AGENCY TO ELECT TO BE ITS OWN FISCAL AGENT FOR A CERTAIN PURPOSE UNDER CERTAIN CIRCUMSTANCES AND TO REQUIRE CERTAIN EDUCATIONAL SUPPORT UNITS TO BE DISTRIBUTED TO THE AGENCY SERVING AS THE FISCAL AGENT; AND AMENDING SECTION 33-601, IDAHO CODE, TO PERMIT A SCHOOL DISTRICT TO AUTHORIZE THE TRANSFER OR CONVEYANCE OF ANY REAL OR PERSONAL PROPERTY OWNED BY THE SCHOOL DISTRICT TO A COOPERATIVE SERVICE AGENCY.

HOUSE BILL NO. 270
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-514, IDAHO CODE, TO DELETE AN EXCEPTION RELATING TO CERTAIN EVALUATIONS.

HOUSE BILL NO. 271
BY EDUCATION COMMITTEE
AN ACT

RELATING TO COURSES OF INSTRUCTION; AMENDING SECTION 33-1004, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INSTRUCTIONAL STAFF ALLOWANCE; AND AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1619, IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO OFFER INSTRUCTION IN THE MANNER DESCRIBED FOR A VIRTUAL SCHOOL, TO PROVIDE FOR COUNTING AND REPORTING OF AVERAGE DAILY ATTENDANCE, TO AUTHORIZE SCHOOL DISTRICTS TO OFFER INSTRUCTION THAT IS A BLEND OF VIRTUAL AND TRADITIONAL INSTRUCTION AND TO PROVIDE FOR THE COUNTING AND REPORTING OF AVERAGE DAILY ATTENDANCE.

H 268, H 269, H 270, and H 271 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1158, by Finance Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1150, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1151, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1152, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1148, by State Affairs Committee, was introduced, read the first time by title, and held at the Desk.

S 1161, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 265, H 266, and H 264, by Ways and Means Committee, were read the second time by title and filed for third reading.

S 1074, as amended, as amended, and **S 1013**, by Education Committee, were read the second time by title and filed for third reading.

S 1097, by Transportation Committee, was read the second time by title and filed for third reading.

S 1134, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1142, SCR 107, and SCR 108, by State Affairs Committee, were read the second time by title and filed for third reading.

H 248 and H 258, by State Affairs Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 216**, as amended, retain its place on the Third Reading Calendar until Monday, March 30, 2009. There being no objection, it was so ordered.

H 251 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jarvis and Mr. Shirley to open debate.

The question being, "Shall **H 251** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Anderson, Bedke, Luker, Smith(24), Thayn, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 251** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 253 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

Mr. Luker moved that **H 253** be held for three legislative days. Seconded by Mr. Thayn.

Mr. Luker asked to withdraw his motion to hold **H 253** for three legislative days.

The question being, "Shall **H 253** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark,

Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Barrett, Moyle. Total – 2.

Absent and excused – Anderson, Bedke, Schaefer, Smith(24), Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 253** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 257 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 257** pass?"

Roll call resulted as follows:

AYES – Barrett, Black, Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Hart, Higgins, Jaquet, Killen, King, Lake, Marriott, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Smith(30), Trail, Wood(35). Total – 26.

NAYS – Andrus, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wood(27), Mr. Speaker. Total – 41.

Absent and excused – Anderson, Smith(24), Wills. Total – 3.

Paired Votes:

AYE – Wood(35) NAY – Bedke

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 257** failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

H 260 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

Mr. Wood(27) asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 260**. There being no objection it was so ordered.

The question being, "Shall **H 260** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Anderson, Bedke, Lake, Loertscher, Nonini, Smith(24), Wills. Total – 7.

Total – 70.

Whereupon the Speaker declared that **H 260** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 198, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 198**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Bedke, Lake, Loertscher, Nonini, Smith(24), Wills. Total – 7.

Total – 70.

Whereupon the Speaker declared that **H 198**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 244, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 244**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Simpson. Total – 1.

Absent and excused – Anderson, Bedke, Nonini, Smith(24), Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 244**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 240, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

Pursuant to Rule 38(3), Mr. Roberts disclosed a conflict of interest regarding **H 240**, as amended.

The question being, "Shall **H 240**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Bedke, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 240**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **S 1138** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1138 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Saylor to open debate.

The question being, "Shall **S 1138** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Bedke, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1138** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1003 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1003** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King,

Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Bedke, Boyle, Smith(24), Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that **S 1003** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1008 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hagedorn to open debate.

The question being, "Shall **S 1008** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Anderson, Bedke, Black, Boyle, Smith(24), Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that **S 1008** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Roberts asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 30, 2009. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Roberts moved that all rules of the House interfering with the immediate consideration of **H 265** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 265** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott,

Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Bedke, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 265** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

Mr. Moyle asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 265**. There being no objection it was so ordered.

The question being, "Shall **H 265** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Bedke, Eskridge, Smith(24), Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 265** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 264** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 264** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Bedke, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 264** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 264** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Bedke, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 264** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Monday, March 30, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:12 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 30, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Anderson. Total –1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Taleesha Willie, Page.

Approval of Journal

March 30, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fifth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that George C. Saylor, State Representative, District 4, House Seat B, Kootenai County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Paula Marano of Coeur d'Alene, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, C. L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Paula Marano, Acting State Representative, District 4, House Seat B, Kootenai County, State of Idaho, for a term commencing on March 30, 2009, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this twenty-sixth day of March, in the year of our Lord two thousand and nine and of the Independence of the United States of America, the two hundred and thirty-third year.

/s/ C. L. "BUTCH" OTTER

Governor

/s/ BEN YSURSA

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Paula Marano.

March 27, 2009

Mr. Speaker:

I return herewith enrolled **H 127**, **H 41**, **H 75**, and **H 192** which have been signed by the President.

WOOD, Secretary

Enrolled **H 127**, **H 41**, **H 75**, and **H 192** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 27, 2009

Mr. Speaker:

I transmit herewith **S 1153** and **S 1159** which have passed the Senate.

WOOD, Secretary

S 1153 and **S 1159** were filed for first reading.

March 27, 2009

Mr. Speaker:

I return herewith **HJM 3**, **H 169**, **H 32**, as amended, **H 38**, **H 44**, **H 110**, **H 111**, **H 112**, **H 205**, **H 206**, and **H 72** which have passed the Senate.

WOOD, Secretary

HJM 3, **H 169**, **H 32**, as amended, **H 38**, **H 44**, **H 110**, **H 111**, **H 112**, **H 205**, **H 206**, and **H 72** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 27, 2009

Mr. Speaker:

I return herewith **H 14**, as amended, as amended in the Senate, **H 141**, as amended in the Senate, **H 159**, as amended in the Senate, and **H 217**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 14, as amended, as amended in the Senate, **H 141**, as amended in the Senate, **H 159**, as amended in the Senate, and **H 217**, as amended in the Senate, were ordered held at the Desk.

Mr. Clark asked unanimous consent that the House concur in the Senate amendments to **H 141**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Thompson asked unanimous consent that the House concur in the Senate amendments to **H 159**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Roberts asked unanimous consent that the House concur in the Senate amendments to **H 217**, as amended in the Senate. There being no objection, it was so ordered.

H 141, as amended in the Senate, **H 159**, as amended in the Senate, and **H 217**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 268**, **H 269**, **H 270**, and **H 271**.

CLARK, Chairman

H 268 was filed for second reading.

H 269, **H 270**, and **H 271** were referred to the Ways and Means Committee.

March 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 10**, **H 105**, **H 55**, **H 88**, **H 89**, **H 90**, **H 91**, **H 92**, **H 109**, **H 193**, **H 154**, as amended, **H 107**, **H 179**, **H 184**, **H 101**, **H 125**, **H 126**, **H 70**, as amended in the Senate, **H 152**, as amended in the Senate, and **H 76**, as amended in the Senate, to the Governor at 12:30 p.m., as of this date, March 27, 2009.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1153, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1159, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 216, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **H 216**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boyle, Chadderdon, Clark, Collins, Crane, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(35), Mr. Speaker. Total – 48.

NAYS – Boe, Bolz, Burgoyne, Chavez, Chew, Cronin, Eskridge, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor(Marano), Smith(30), Smith(24), Trail, Wood(27). Total – 21.

Absent and excused – Anderson. Total – 1.
Total – 70.

Whereupon the Speaker declared that **H 216**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 266 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 266** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Clark, Moyle. Total – 2.

Absent and excused – Anderson, Smith(24). Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 266** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 248 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **H 248** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor(Marano), Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Barrett, Roberts, Shepherd(08), Thayne. Total – 4.

Absent and excused – Anderson, Labrador. Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 248** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 258 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall **H 258** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche,

Sayler(Marano), Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Harwood, Kren, Smith(24). Total – 3.

Absent and excused – Anderson, Labrador, Shepherd(08). Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 258** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1004, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **S 1004**, as amended in the House, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Anderson, Labrador. Total – 2.

Total – 70.

Whereupon the Speaker declared that **S 1004**, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1128 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1128** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Kren, Wood(27). Total – 3.

Total – 70.

Whereupon the Speaker declared that **S 1128** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1115 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **S 1115** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1115** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1071, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick and Ms. Pence to open debate.

The question being, "Shall **S 1071**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Clark, Shirley. Total – 3.

Total – 70.

Whereupon the Speaker declared that **S 1071**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1111 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1111** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs,

Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Labrador, Shirley. Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1111** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1098, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hagedorn and Mrs. Wood(35) to open debate.

Mr. Hagedorn asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1098**, as amended. There being no objection it was so ordered.

The question being, "Shall **S 1098**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Anderson. Total – 1.
Total – 70.

Whereupon the Speaker declared that **S 1098**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1065 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **S 1065** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Anderson. Total – 1.
Total – 70.

Whereupon the Speaker declared that **S 1065** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1127 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1127** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Harwood, Smith(24).
Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1127** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1109, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall **S 1109**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Burgoyne. Total – 1.

Absent and excused – Anderson, Schaefer. Total – 2.
Total – 70.

Whereupon the Speaker declared that **S 1109**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1061 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **S 1061** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1061** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1131 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hagedorn to open debate.

The question being, "Shall **S 1131** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Anderson, Nonini. Total – 2.

Total – 70.

Whereupon the Speaker declared that **S 1131** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1046 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **S 1046** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley,

Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Anderson, Nonini. Total – 2.

Total – 70.

Whereupon the Speaker declared that **S 1046** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1050 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1050** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, Kren, Labrador, Loertscher, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 53.

NAYS – Bayer, Bedke, Burgoyne, Chavez, Chew, Cronin, Hagedorn, Harwood, King, Lake, Luker, Moyle, Pasley-Stuart, Ringo, Shepherd(08), Thayn. Total – 16.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1050** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

H 14, as amended, as amended in the Senate, was previously held at the Desk.

Mr. Simpson asked unanimous consent that the House concur in the Senate amendments to **H 14**, as amended, as amended in the Senate. There being no objection, it was so ordered.

H 14, as amended, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Tuesday, March 31, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at
12:04 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTY-NINTH LEGISLATIVE DAY
TUESDAY, MARCH 31, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Anderson. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

March 31, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-eighth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
Boise

March 30, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am transmitting today to the Secretary of State the following House bill which will be allowed to become law without my signature within the time limited by law:

H 60

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

March 30, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1005**, as amended, **S 1006**, as amended, **S 1007**, **S 1017**, as amended, as amended, **S 1042**,

S 1066, **S 1076**, **S 1078**, **S 1106**, and **S 1117** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1005**, as amended, **S 1006**, as amended, **S 1007**, **S 1017**, as amended, as amended, **S 1042**, **S 1066**, **S 1076**, **S 1078**, **S 1106**, and **S 1117** and, when so signed, ordered them returned to the Senate.

March 30, 2009

Mr. Speaker:

I return herewith enrolled **H 185** which has been signed by the President.

WOOD, Secretary

Enrolled **H 185** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 30, 2009

Mr. Speaker:

I transmit herewith **SJM 102**, **SCR 110**, **S 1154**, **S 1145**, and **S 1144** which have passed the Senate.

WOOD, Secretary

SJM 102, **SCR 110**, **S 1154**, **S 1145**, and **S 1144** were filed for first reading.

March 30, 2009

Mr. Speaker:

I return herewith **HCR 29**, **HCR 12**, **HCR 22**, **H 65**, as amended, **H 164**, **H 168**, and **H 124** which have passed the Senate.

WOOD, Secretary

HCR 29, **HCR 12**, **HCR 22**, **H 65**, as amended, **H 164**, **H 168**, and **H 124** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 31, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 3**, **H 169**, **H 32**, as amended, **H 38**, **H 44**, **H 110**, **H 111**, **H 112**, **H 205**, **H 206**, and **H 72**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HJM 3**, **H 169**, **H 32**, as amended, **H 38**, **H 44**, **H 110**, **H 111**, **H 112**, **H 205**, **H 206**, and **H 72** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 31, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 14**, as amended, as amended in the Senate, **H 141**, as amended in the Senate, **H 159**, as amended in the Senate, and **H 217**, as amended in the Senate.

CLARK, Chairman

H 14, as amended, as amended in the Senate, **H 141**, as amended in the Senate, **H 159**, as amended in the Senate, and **H 217**, as amended in the Senate, were filed for first reading of engrossed bills.

March 30, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 127**, **H 41**, **H 75**, and **H 192** to the Governor at 1:30 p.m., as of this date, March 30, 2009.

CLARK, Chairman

March 30, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **SJR 101** and recommend that it do pass.

LOERTSCHER, Chairman

SJR 101 was filed for second reading.

March 30, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 267** and recommend that it do pass.

WOOD, Chairman

H 267 was filed for second reading.

March 30, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1150** and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

S 1150 was placed on General Orders for consideration.

March 31, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 263** and recommend that it do pass.

LOERTSCHER, Chairman

H 263 was filed for second reading.

March 30, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1146** and **S 1158** and recommend that they do pass.

BLOCK, Chairman

S 1146 and **S 1158** were filed for second reading.

March 31, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1159** and recommend that it do pass.

NONINI, Chairman

S 1159 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE PROCLAMATION NO. 2 BY STATE AFFAIRS COMMITTEE

A PROCLAMATION

COMMENDING ARCO, IDAHO, IN ITS CENTENNIAL YEAR.

We, the members of the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby proclaim:

WHEREAS, the City of Arco, nestled at the foot of the Lost River Mountain Range and the edge of the Snake River Plain, and the county seat of Butte County, will be celebrating its 100th birthday on July 3, 4 and 5, 2009, having been incorporated in 1909; and

WHEREAS, the culture and economy of Arco are largely based on farming, ranching and tourism, being the gateway to Craters of the Moon National Monument and Preserve, a vast ocean of lava flows, roughly the size of Rhode Island, with scattered islands of cinder cones and sagebrush; and

WHEREAS, many recreational opportunities abound in proximity to Arco such as fishing, hunting, snowmobiling, hang gliding, cross-country skiing and camping; and

WHEREAS, being only twenty miles from the Idaho National Laboratory, which since 1949 has fulfilled a leadership role and made key contributions in nuclear energy research, development, demonstration and deployment at the direction of the United States government, the City of Arco is also closely tied to the nuclear industry. Arco was the first city in the world to be lit by atomic power on July 17th, 1955, lighting the city for approximately two hours, with the electricity being generated by the Boiling Water Reactor III. The city now celebrates the event annually on the weekend closest to the anniversary date with "Atomic Days"; and

WHEREAS, many activities for all ages are planned for Arco's centennial, including a parade, cook-off, car show, horseshoe competition, and a community breakfast along with the annual Arco Volunteer Fire Department fireworks; and

NOW, THEREFORE, BE IT PROCLAIMED by the members of the House of Representatives assembled in the First Regular Session of the Sixtieth Idaho Legislature, that we congratulate the residents of Arco and commend Arco on its upcoming centennial celebration.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized to send a copy of this Proclamation to the mayor and city council members of the City of Arco.

HP 2 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 102, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

SCR 110, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 272 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 273
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 274
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; DIRECTING COMMISSIONER SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 275
BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE LOTTERY; AMENDING SECTION 67-7434, IDAHO CODE, TO PROVIDE FOR SPECIFIED TRANSFERS OF NET INCOME FROM THE LOTTERY, TO REQUIRE THE LOTTERY TO ENSURE SPECIFIED CONDITIONS, TO PROVIDE FOR A CONTINGENCY, TO PROVIDE FOR ADJUSTMENTS TO CERTAIN TRANSFERS AND TO PROVIDE A SUNSET DATE; AND AMENDING SECTION 63-2520, IDAHO CODE, TO PROVIDE FOR THE CONSIDERATION OF CERTAIN LOTTERY MONEYS DISTRIBUTED IN CALCULATING AMOUNTS TO BE DISTRIBUTED BY THE TAX COMMISSION AND TO MAKE TECHNICAL CORRECTIONS.

H 272, H 273, H 274, and H 275 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1154, by State Affairs Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1145 and S 1144, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

First Reading of Engrossed Bills

H 14, as amended, as amended in the Senate, and **H 217**, as amended in the Senate, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

H 141, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

H 159, as amended in the Senate, by Education Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 268, by Appropriations Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 31, 2009

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 225, S 1121, H 249, H 131, H 237, H 138, H 135, S 1086, S 1088, and S 1110** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 225

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 9, delete "All day" and insert: "Day"; and also in line 9, following "providers" insert: "operating a group day care facility or a day care center or any day care provider that receives payments under the Idaho child care program".

HOUSE AMENDMENT TO S.B. NO. 1121

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 14, delete "The public charter school commission shall provide notice of the"; and delete lines 15 and 16, and insert:

"In the case of a petition for a public virtual charter school, if the primary attendance area described in the petition of a proposed"

in line 18, following "notice" insert: "in writing"; also in line 18, following "hearing" insert: "no less than thirty (30) days prior to such public hearing"; in line 19, following "districts," delete "the" and insert: "Such"; in line 22, following "districts," insert:

"In the case of a petition for a non-virtual public charter school submitted to the public charter school commission, the board of the district in which the proposed public charter school will be physically located, shall be notified of the hearing in writing, by the public charter school commission, no less than thirty (30) days prior to the public hearing. Such public hearing shall include any oral or written comments that an authorized representative of the school district in which the proposed public charter school would be physically located may provide regarding the merits of the petition and any potential impacts

on the school district. The hearing shall also include any oral or written comments that petitioners may provide regarding any potential impacts on such school district. If the school district chooses not to provide any oral or written comments as provided for in this subsection (2), such school district shall notify the public charter school commission of such decision.";

also in lines 22 and 23, delete "Following review of the petition and the public hearing, the" and insert:

"Following review of ~~the~~any petition and ~~the~~any public hearing provided for in this section, the".

CORRECTION TO TITLE

On page 1, delete lines 3 and 4, and insert: "CODE, TO PROVIDE FOR NOTICE AND PUBLIC HEARING IN THE CASE OF A PETITION FOR A PUBLIC VIRTUAL CHARTER SCHOOL, TO PROVIDE FOR COMMENTS, TO PROVIDE FOR NOTICE AND PUBLIC HEARING IN THE CASE OF A PETITION FOR A NON-VIRTUAL PUBLIC CHARTER SCHOOL, TO PROVIDE FOR COMMENTS, TO PROVIDE FOR REVIEW OF CERTAIN PETITIONS AND PUBLIC HEARINGS AND TO MAKE A TECHNICAL CORRECTION."

HOUSE AMENDMENT TO H.B. NO. 249

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 16 through 18.

HOUSE AMENDMENT TO H.B. NO. 131

AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 5 through 44; delete page 3; and on page 4, delete lines 1 through 12; in line 13, delete "4" and insert: "3"; in line 20, delete "5" and insert: "4"; and on page 6, delete lines 13 through 16 and insert:

"SECTION 5. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

CORRECTIONS TO TITLE

On page 1, delete lines 6 and 7 and insert: "MEDALLIONS; AMENDING SECTION 63-3622PP"; and delete lines 13 and 14 and insert: "DECLARING AN EMERGENCY."

HOUSE AMENDMENT TO H.B. NO. 237

AMENDMENT TO SECTION 3

On page 2 of the printed bill, delete lines 34 through 42; and in line 43, delete "4" and insert: "3"; on page 3, in line 1, delete "5" and insert: "4"; and in line 3, delete "6" and insert: "5".

CORRECTION TO TITLE

On page 1, delete lines 6 and 7, and insert: "SECTION 67-6625, IDAHO CODE, TO CORRECT CODE REFERENCES AND TO".

HOUSE AMENDMENT TO H.B. NO. 138

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 10 through 22, and insert:

"SECTION 1. LEGISLATIVE INTENT. Section 1, Article I, of the Constitution of the State of Idaho provides that "All men are by nature free and equal, and have certain inalienable rights, among which are enjoying and defending life and liberty; acquiring, possessing and protecting property; pursuing happiness and securing safety." The Legislature finds and declares that a central component of carrying out Section 1, Article I, of the Constitution of the State of Idaho and of state

sovereignty is the inherent right of the state to protect the health, safety and welfare of its citizens and prevent cruelty to animals and wildlife within its borders. In a state such as Idaho, it is a compelling state interest for the state to protect the health, safety and welfare of its citizens and to prevent cruelty to animals and wildlife in Idaho. To that end it is the purpose of this act to provide for the full exercise of all the state's rights and responsibilities to protect the health, safety and welfare of its citizens and to prevent cruelty to animals and wildlife. By enacting this legislation, the Legislature declares that the health, safety and welfare of the state will be benefited thereby.

SECTION 2. That Section 18-3203, Idaho Code, be, and the same is hereby amended to read as follows:

18-3203. OFFERING FALSE OR FORGED INSTRUMENT ~~FOR RECORDOR FALSE TESTIMONY~~. Every person who knowingly procures or offers any false or forged instrument, notice, report, document or claim to be filed, registered or recorded in any public office within this state, which instrument, notice, report, document or claim if genuine, might be filed, or registered, or recorded under any law of this state, or of the United States, is guilty of a felony or who knowingly presents false, misleading or deceptive testimony before a governmental commission, whether under oath or not, is guilty of a felony.

SECTION 3. That Section 18-7803, Idaho Code, be, and the same is hereby amended to read as follows:

18-7803. DEFINITIONS. As used in this chapter:

(a) "Racketeering" means any act which is chargeable or indictable under the following sections of the Idaho Code or which are equivalent acts chargeable or indictable as equivalent crimes under the laws of any other jurisdiction:

- (1) Homicide (section 18-4001, Idaho Code);
- (2) Robbery, burglary, theft, forgery, counterfeiting, and related crimes (sections 18-1401, 18-1405, 18-2403, 18-2407, 18-3123, 18-3124, 18-3125, 18-3601, 18-3602, 18-3603, 18-3605, 18-3606, 18-3607, 18-3609, 18-3610, 18-3614, 18-3615, 18-4630, 18-6501 and 49-518, Idaho Code);
- (3) Kidnapping (section 18-4501, Idaho Code);
- (4) Prostitution (sections 18-5601, 18-5602, 18-5603, 18-5604, 18-5605, 18-5606, 18-5608 and 18-5609, Idaho Code);
- (5) Arson (sections 18-801, 18-802, 18-803, 18-804 and 18-805, Idaho Code);
- (6) Assault (sections 18-908 and 18-4015, Idaho Code);
- (7) Lotteries and gambling (sections 18-3801, 18-3802, 18-3809, 18-4902, 18-4903, 18-4904, 18-4905, 18-4906 and 18-4908, Idaho Code);
- (8) Indecency and obscenity (sections 18-1515, 18-1518, 18-4103, 18-4103A, 18-4104, 18-4105, 18-4105A and 18-4107, Idaho Code);
- (9) Poisoning (sections 18-4014 and 18-5501, Idaho Code);
- (10) Fraudulent practices, false pretenses, insurance fraud, financial transaction card crimes and fraud generally (sections 18-2403, 18-2706, 18-3002, 18-3101, 18-3124, 18-3125, 18-3126, 18-3203, 18-6713, 41-293, 41-294 and 41-1306, Idaho Code);
- (11) Alcoholic beverages (sections 23-602, 23-606, 23-610, 23-703, 23-905, 23-914, 23-928, 23-934 and 23-938, Idaho Code);

- (12) Cigarette taxes (sections 63-2505 and 63-2512(b), Idaho Code);
- (13) Securities (sections 30-14-401, 30-14-402, 30-14-403, 30-14-404, 30-14-501, 30-14-502, 30-14-505 and 30-14-506, Idaho Code);
- (14) Horseracing (section 54-2512, Idaho Code);
- (15) Interest and usurious practices (sections 28-45-401 and 28-45-402, Idaho Code);
- (16) Corporations (sections 18-1901, 18-1902, 18-1903, 18-1904, 18-1905, 18-1906 and 30-1510, Idaho Code);
- (17) Perjury (sections 18-5401 and 18-5410, Idaho Code);
- (18) Bribery and corrupt influence (sections 18-1352 and 18-1353, Idaho Code);
- (19) Controlled substances (sections 37-2732(a), (b), (c), (e) and (f), 37-2732B, 37-2734 and 37-2734B, Idaho Code);
- (20) Motor vehicles (sections 49-228, 49-231, 49-232 and 49-518, Idaho Code);
- (21) Terrorism (section 18-8103, Idaho Code);
- (22) Introduction of a dangerous animal (section 25-3906, Idaho Code).

(b) "Person" means any individual or entity capable of holding a legal or beneficial interest in property;

(c) "Enterprise" means any sole proprietorship, partnership, corporation, business, labor union, association or other legal entity or any group of individuals associated in fact although not a legal entity, and includes illicit as well as licit entities; and

(d) "Pattern of racketeering activity" means engaging in at least two (2) incidents of racketeering conduct that have the same or similar intents, results, accomplices, victims or methods of commission, or otherwise are interrelated by distinguishing characteristics and are not isolated incidents, provided at least one (1) of such incidents occurred after the effective date of this act and that the last of such incidents occurred within five (5) years after a prior incident of racketeering conduct.

SECTION 4. That Chapter 39, Title 25, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 25-3906, Idaho Code, and to read as follows:

25-3906. INTRODUCTION OF DANGEROUS ANIMAL. Any person who, with the intention to release, imports a dangerous or vicious animal into the state of Idaho, or intentionally releases that animal into the state of Idaho is guilty of a felony.

As used in this section and in section 6-809, Idaho Code, a "dangerous or vicious animal" is a nondomesticated animal which is known to be a threat to the safety or welfare of persons, livestock, pets or property or which is a member of a species or subspecies which is known to be a threat to the safety and welfare of persons, livestock, pets or property.

SECTION 5. That Chapter 8, Title 6, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 6-809, Idaho Code, and to read as follows:

6-809. DEATH OR INJURY TO PERSONS OR PROPERTY BY A DANGEROUS OR VICIOUS ANIMAL. In the event of injury or death to a person, livestock or wildlife, caused by a dangerous or vicious animal, as defined in section 25-3906, Idaho Code, introduced into the state of Idaho, there shall exist a civil cause of action for negligence against any individual who introduced or protected the dangerous or vicious

animal by the person harmed or the person's estate or the owner of livestock or pets or by a person suffering an economic loss or otherwise harmed by the dangerous or vicious animal.

For purposes of this section, "individual" shall mean any person performing a primary role in the introduction or protection of the dangerous or vicious animal or a person charged with their management whose negligence facilitates the potential for injury or death or economic losses to occur.

A person performing a primary role is a person who has a duty to protect the life and property of others and whose negligence allows the introduction. A person performing a primary role is also a person who participates in the introduction of a dangerous or vicious animal, or who protects them after their introduction.

"Introduction or protection" does not include a person who prevents hunting or trespassing on land owned or controlled by that person.

The exceptions to governmental liability provisions of chapter 9, title 6, Idaho Code, shall be applicable.

SECTION 6. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

SECTION 7. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

CORRECTION TO TITLE

On page 1, delete lines 2 through 8, and insert: "RELATING TO DANGEROUS OR VICIOUS ANIMALS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 18-3203, IDAHO CODE, TO PROVIDE CRIMINAL PENALTIES FOR FILING FALSE OR FORGED INSTRUMENTS, NOTICES, REPORTS, DOCUMENTS OR CLAIMS AND TO PROVIDE IT IS UNLAWFUL TO KNOWINGLY PRESENT FALSE, MISLEADING OR DECEPTIVE TESTIMONY BEFORE A GOVERNMENTAL COMMISSION; AMENDING SECTION 18-7803, IDAHO CODE, TO FURTHER DEFINE THE TERM "RACKETEERING"; AMENDING CHAPTER 39, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3906, IDAHO CODE, TO PROHIBIT THE IMPORTATION OF A DANGEROUS OR VICIOUS ANIMAL AND TO PROVIDE PENALTIES; AMENDING CHAPTER 8, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-809, IDAHO CODE, TO PROVIDE FOR NEGLIGENCE ACTIONS AGAINST CERTAIN INDIVIDUALS IN THE EVENT OF INJURY OR DEATH TO A PERSON, LIVESTOCK OR WILDLIFE CAUSED BY A DANGEROUS OR VICIOUS ANIMAL INTRODUCED INTO THE STATE; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY."

HOUSE AMENDMENT TO H.B. NO. 135

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 16, following "the fund" insert: "as provided for in subsection (2)(b) of this section"; in line 21, following "(60%)" insert: ", with all interest accruing thereon,"; in line 27, following "of" delete "existing state highways that"; delete line 28, and insert: "the state highway system. In no event shall"; and in line 31, delete "implemented" and insert: "made plans for and begun implementation of".

HOUSE AMENDMENT TO S.B. NO. 1086**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 17, delete "Ten" and insert: "Thirteen"; at the beginning of line 18, delete "(\$10.00)" and insert: "(\$13.00)"; also in line 18, delete "ten dollars (\$10.00)" and insert: "thirteen dollars (\$13.00)"; in line 20, delete "Twenty-five dollars (\$25.00)" and insert: "Twenty-two dollars (\$22.00)"; also in line 20, delete "fifteen" and insert: "twelve"; in line 21, delete "(\$15.00)" and insert: "(\$12.00)"; in line 34, delete "ten dollars (\$10.00)" and insert: "thirteen dollars (\$13.00)"; in line 35, delete "twenty dollars (\$20.00)" and insert: "seventeen dollars (\$17.00)".

AMENDMENT TO THE BILL

On page 1, following line 5, insert:

"SECTION 1. That Section 49-402, Idaho Code, be, and the same is hereby amended to read as follows:

49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each pickup truck, each neighborhood electric vehicle and each other motor vehicle having a maximum gross weight not in excess of eight thousand (8,000) pounds and that complies with the federal motor vehicle safety standards as defined in section 49-107, Idaho Code, shall be:

Vehicles one (1) and two (2) years old	\$48.00
Vehicles three (3) and four (4) years old	\$36.00
Vehicles five (5) and six (6) years old	\$36.00
Vehicles seven (7) and eight (8) years old	\$24.00
Vehicles over eight (8) years old	\$24.00

There shall be twelve (12) registration periods, starting in January for holders of validation registration stickers numbered 1, and proceeding consecutively through December for holders of validation registration stickers numbered 12, each of which shall start on the first day of a calendar month and end on the last day of the twelfth month from the first day of the beginning month. Registration periods shall expire midnight on the last day of the registration period in the year designated by the validation registration sticker. The numeral digit on the validation registration stickers shall, as does the registration card, fix the registration period under the staggered plate system of Idaho for the purpose of reregistration and notice of expiration.

A vehicle that has once been registered for any of the above designated periods shall, upon reregistration, be registered for the period bearing the same number, and the registration card shall show and be the exclusive proof of the expiration date of registration and licensing. Vehicles may be initially registered for less than a twelve (12) month period, or for more than a twelve (12) month period, and the fee prorated on a monthly basis if the fractional registration tends to fulfill the purpose of the monthly series registration system.

(2) For all school buses operated either by a nonprofit, nonpublic school or operated pursuant to a service contract with a school district for transporting children to or from school or in connection with school approved activities, the annual fee shall be twenty-four dollars (\$24.00).

(3) For all motorcycles and motor-driven cycles which comply with the federal motor vehicle safety standards, operated upon the public highways the annual fee shall be nine dollars (\$9.00).

(4) For operation of an all-terrain vehicle, utility type vehicle or motorbike, excluding a motorbike with an engine displacement of fifty (50) cubic centimeters or less, on public lands, a restricted vehicle license plate fee pursuant to section 49-450, Idaho Code, shall be paid. In addition, the registration fee specified in section 67-7122, Idaho Code, shall be paid as

provided in section 67-7122, Idaho Code. The registration and restricted vehicle license plate exemption provided in section 49-426(2), Idaho Code, applies to all-terrain vehicles, utility type vehicles, motorbikes and motorcycles used for the purposes described in subsection (2) of section 49-426, Idaho Code.

(5) For all motor homes the fee shall be as specified in subsection (1) of this section and shall be in addition to the fees provided for in section 49-445, Idaho Code.

(6) Registration fees shall not be subject to refund.

(7) A financial institution or repossession service contracted to a financial institution repossessing vehicles under the terms of a security agreement shall move the vehicle from the place of repossession to the financial institution's place of business on a repossession plate. The repossession plate shall also be used for demonstrating the vehicle to a prospective purchaser for a period not to exceed ninety-six (96) hours. The registration fees for repossession plates shall be as required in subsection (1) of this section for a vehicle one (1) and two (2) years old. All other fees required under chapter 4, title 49, Idaho Code, shall be in addition to the registration fee. The repossession plate shall be issued on an annual basis by the department.

(8) In addition to the annual registration fee in this section, there shall be an initial program fee of twenty-five dollars (\$25.00) and an annual program fee of fifteen dollars (\$15.00) for all special license plate programs for those license plates issued pursuant to sections 49-404A, 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code, there shall be an initial program fee of twenty-five dollars (\$25.00) but there shall be no annual renewal fee. For special plates issued pursuant to sections 49-415C, 49-415D, 49-415E, 49-416A, 49-416B, 49-416C, 49-416D, 49-416E, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-417E, 49-418A, 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C, 49-419D, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E, ~~and 49-420G and 49-420H~~, Idaho Code, there shall be an initial program fee of thirty-five dollars (\$35.00) and an annual program fee of twenty-five dollars (\$25.00). The fees contained in this subsection shall be applicable to all new special plate programs. The initial program fee and the annual program fee shall be deposited in the state highway account and shall be used to fund the cost of administration of special license plate programs, unless otherwise specified by law.

(~~8~~) Any vehicle that does not meet federal motor vehicle safety standards shall not be registered and shall not be permitted to operate on public highways of the state, as defined in section 40-117, Idaho Code, unless otherwise specifically authorized."; on page 1, in line 6, delete "1" and insert: "2"; and on page 1, following line 35, insert:

"SECTION 3. This act shall be in full force and effect on and after January 1, 2010."

CORRECTION TO TITLE

On page 1, in line 2, following "REGISTRATION;" insert: "AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION;"; and in line 4, following "PLATE" insert: "PROGRAM; AND PROVIDING AN EFFECTIVE DATE".

HOUSE AMENDMENT TO S.B. NO. 1088**AMENDMENT TO SECTION 2**

On page 3 of the printed bill, in line 11, delete "Ten" and insert: "Thirteen"; at the beginning of line 12, delete "(\$10.00)" and insert: "(\$13.00)"; also in line 12, delete "ten dollars

(\$10.00)" and insert: "thirteen dollars (\$13.00)"; in line 14, delete "Twenty-five dollars (\$25.00)" and insert: "Twenty-two dollars (\$22.00)"; also in line 14, delete "fifteen" and insert: "twelve"; in line 15, delete "(\$15.00)" and insert: "(\$12.00)"; in line 28, delete "ten dollars (\$10.00)" and insert: "thirteen dollars (\$13.00)"; in line 29, delete "twenty dollars (\$20.00)" and insert: "seventeen dollars (\$17.00)".

HOUSE AMENDMENT TO S.B. NO. 1110

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 27, delete "boarder" and insert: "border".

We have also had under consideration **S 1137**, report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the reported be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

H 225, as amended, **H 249**, as amended, **H 131**, as amended, **H 237**, as amended, **H 138**, as amended, and **H 135**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

S 1121, as amended in the House, **S 1086**, as amended in the House, **S 1088**, as amended in the House, and **S 1110**, as amended in the House, were filed for first reading.

S 1137 was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Lake asked unanimous consent that **S 1060**, as amended, be referred to the Revenue and Taxation Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Wednesday, April 1, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:28 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**EIGHTIETH LEGISLATIVE DAY
WEDNESDAY, APRIL 1, 2009**

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Anderson. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Andres Figueroa, Page.

Approval of Journal

April 1, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-ninth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 31, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 119

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

March 31, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 121

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

March 31, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1003, S 1008, and S 1138** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1003, S 1008, and S 1138** and, when so signed, ordered them returned to the Senate.

March 31, 2009

Mr. Speaker:

I return herewith **H 128, H 129, H 147, H 145**, as amended, **H 160**, as amended, **H 108, H 113, H 115, H 188, H 189, H 190, H 191, H 157**, as amended, **H 212, H 106**, as amended, and **H 213** which have passed the Senate.

WOOD, Secretary

H 128, H 129, H 147, H 145, as amended, **H 160**, as amended, **H 108, H 113, H 115, H 188, H 189, H 190, H 191, H 157**, as amended, **H 212, H 106**, as amended, and **H 213** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 1, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HP 2, H 272, H 273, H 274, H 275**, and House amendments to **H 225, H 249, H 131, H 237, H 138, H 135, S 1121, S 1086, S 1088, and S 1110**.

CLARK, Chairman

HP 2, H 272, H 273, H 274, and H 275 were filed for second reading.

April 1, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 29, HCR 12, HCR 22, H 65**, as amended, **H 164, H 168, and H 124**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 29, HCR 12, HCR 22, H 65**, as amended, **H 164, H 168, and H 124** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 1, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 225**, as amended, **H 249**, as amended, **H 131**, as amended, **H 237**, as amended, **H 138**, as amended, and **H 135**, as amended.

CLARK, Chairman

H 225, as amended, **H 249**, as amended, **H 131**, as amended, **H 237**, as amended, **H 138**, as amended, and **H 135**, as amended, were filed for first reading of engrossed bills.

March 31, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 185** to the Governor at 2:10 p.m., as of this date, March 31, 2009.

CLARK, Chairman

March 31, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1015**, **S 1020**, as amended, and **S 1022** and recommend that they do pass.

STEVENSON, Chairman

S 1015, **S 1020**, as amended, and **S 1022** were filed for second reading.

March 31, 2009

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1152** and recommend that it do pass.

SCHAEFER, Chairman

S 1152 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

House of Representatives
State of Idaho

March 30, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Speaker Denney:

We, the undersigned, hereby petition the presiding officer of the House of Representatives pursuant to Joint Rule 20 to waive the provisions of Joint Rule 20 with regard to introduction of a proposed Constitutional Amendment after the 36th day of the Regular Legislative Session. This waiver would allow introduction of (RS 18916) **HJR 1**.

We would appreciate your consideration of this petition.

Sincerely,

/s/ Mike Moyle, Majority Leader
/s/ Scott Bedke, Assistant Majority Leader
/s/ Ken Roberts, Majority Caucus Chairman

The Speaker announced that pursuant to the 36th day deadline, and a petition being presented, Joint Rule No. 20 would be waived for the purpose of introducing a joint resolution to make an amendment to the Constitution of the State of Idaho.

HOUSE JOINT RESOLUTION NO. 1 BY WAYS AND MEANS COMMITTEE A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 3,
ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF
IDAHO, RELATING TO LIMITATIONS ON COUNTY AND

MUNICIPAL INDEBTEDNESS TO DEFINE "SUBDIVISION OF THE STATE" AS A COUNTY, CITY, BOARD OF EDUCATION OR SCHOOL DISTRICT OR OTHER ENTITY THAT HAS THE POWER TO LEVY TAXES, TO PROVIDE THAT NO SUBDIVISION OF THE STATE SHALL INCUR ANY INDEBTEDNESS, OR LIABILITY, IN ANY MANNER, OR FOR ANY PURPOSE THAT, TOGETHER WITH ALL OTHER OBLIGATIONS, EXCEEDS IN THAT FISCAL YEAR, THE INCOME AND REVENUE PROVIDED FOR IT FOR SUCH YEAR UNLESS PRIOR TO INCURRING THE INDEBTEDNESS OR LIABILITY, THE QUALIFIED ELECTORS OF SUCH SUBDIVISION ASSENT BY TWO-THIRDS OF THOSE VOTING AT AN ELECTION TO BE HELD FOR THAT PURPOSE ON THE DATE SPECIFIED BY LAW, TO PROVIDE AN EXCEPTION FOR CERTAIN REVENUE-GENERATING PUBLIC FACILITIES UPON THE CONDITION THAT THE REPAYMENTS ON SUCH INDEBTEDNESS OR LIABILITY SHALL BE PAID SOLELY FROM THE NON-TAX REVENUE GENERATED BY THE FACILITY, TO PROVIDE THAT REVENUE-GENERATING PUBLIC FACILITIES INCLUDE MUNICIPAL UTILITY SYSTEMS AND ARE THOSE USED TO PROVIDE GOODS OR SERVICES TO THE GENERAL PUBLIC BUT SHALL NOT INCLUDE POWER GENERATING, TRANSMISSION OR DISTRIBUTION FACILITIES AND TO PROVIDE THAT NON-TAX REVENUE IS INCOME FROM THE SALE OF GOODS OR SERVICES AND DOES NOT INCLUDE TAXES, FINES, COURT COSTS OR OTHER SIMILAR CHARGES PRESCRIBED BY LAW, TO PROVIDE AN EXCEPTION FOR CERTAIN TERMINABLE CONTRACTS, TO PROVIDE CRITERIA FOR TERMINABLE CONTRACTS AND TO PROVIDE THAT THE LEASING OF REAL OR PERSONAL PROPERTY FOR A TERM EXTENDING BEYOND THE END OF THE FISCAL YEAR IS NOT PERMITTED BY THE EXCEPTION FOR TERMINABLE CONTRACTS IF THE SUBDIVISION HAS AN OPTION TO PURCHASE THE PROPERTY LEASED OR IF ANY PORTION OF THE LEASE PAYMENTS WOULD BE APPLIED TO THE PURCHASE OF THE PROPERTY, TO PROVIDE AN EXCEPTION FOR CERTAIN SHORT-TERM CONTRACTS TO LEASE OR PURCHASE PERSONAL PROPERTY OR FIXTURES, TO PROVIDE CRITERIA FOR SHORT-TERM CONTRACTS AND TO DELETE LANGUAGE REGARDING CITIES ISSUING REVENUE BONDS FOR CERTAIN FACILITIES, TO PROVIDE AN EXCEPTION FOR CERTAIN PORT DISTRICTS IN ACCORDANCE WITH LAW AND TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE AN EXCEPTION FOR CERTAIN CITIES OWNING A MUNICIPAL ELECTRIC SYSTEM IN ACCORDANCE WITH LAW, TO PROVIDE THAT SUCH CITIES MAY ACQUIRE OR CONSTRUCT POWER GENERATING, TRANSMISSION AND DISTRIBUTION FACILITIES FOR THE PURPOSE OF SUPPLYING POWER TO CUSTOMERS LOCATED WITHIN THE SERVICE AREA OF SUCH SYSTEM ESTABLISHED BY LAW, PROVIDED ANY INDEBTEDNESS OR LIABILITY IS PAID SOLELY THROUGH THE NON-TAX REVENUE OF THE SYSTEM, TO PROVIDE THAT SUCH CITIES MAY ENTER INTO AGREEMENTS TO PURCHASE, SHARE OR EXCHANGE WHOLESALE POWER OUTSIDE THE CORPORATE LIMITS OF THE CITY FOR THE USE AND BENEFIT OF ITS CITIZENS AND TO PROVIDE ANY INDEBTEDNESS OR LIABILITY INCURRED CONTRARY TO SECTION 3, ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO SHALL BE VOID; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE

COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**HOUSE BILL NO. 276
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS TO THE ENVIRONMENTAL REMEDIATION FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION FUND AND REQUIRING AN ANNUAL REPORT; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO USE OF THE WATER POLLUTION CONTROL FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE COEUR D'ALENE LAKE MANAGEMENT PLAN; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2009; DIRECTING THE DEPOSIT OF CERTAIN MONEYS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 277
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 278
BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO CAMPAIGN CONTRIBUTIONS; AMENDING SECTION 67-6607, IDAHO CODE, TO PROVIDE THAT THE POLITICAL TREASURER FOR EACH MEMBER OF THE LEGISLATURE SHALL NOTIFY THE SECRETARY OF STATE, IN WRITING, OF ANY CONTRIBUTION RECEIVED BY THE POLITICAL TREASURER DURING ANY CONVENED SESSION OF THE LEGISLATURE, TO PROVIDE REQUIREMENTS FOR SUCH NOTIFICATION AND TO PROVIDE THAT SUCH NOTIFICATION SHALL BE IN ADDITION TO OTHER REQUIRED REPORTS.

**HOUSE BILL NO. 279
BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO PHARMACISTS; AMENDING SECTION 54-1705, IDAHO CODE, TO REVISE A DEFINITION AND TO DEFINE A TERM.

**HOUSE BILL NO. 280
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT TO CLARIFY THE SCOPE OF THE APPROPRIATION; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HJR 1, H 276, H 277, H 278, H 279, and H 280 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1121, as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

S 1086, as amended in the House, and **S 1088**, as amended in the House, by Transportation Committee, were introduced, read the first time by title, and filed for second reading.

S 1110, as amended in the House, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 225, as amended, by Education Committee, was introduced, read the first time by title, and filed for second reading.

H 249, as amended, and **H 237**, as amended, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

H 131, as amended, and **H 135**, as amended, by Transportation and Defense Committee, were introduced, read the first time by title, and filed for second reading.

H 138, as amended, by Resources and Conservation Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

SJR 101, by State Affairs Committee, was read the second time by title and filed for third reading.

H 267 and **H 141**, as amended in the Senate, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

H 263, H 14, as amended, as amended in the Senate, and **H 217**, as amended in the Senate, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1146 and **S 1159**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1158, by Finance Committee, was read the second time by title and filed for third reading.

H 159, as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 268 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

Mr. Moyle asked unanimous consent that **H 268** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **S 1054** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **S 1108**, as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

S 1126 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall **S 1126** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1126** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1053, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **S 1053**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Barrett, Durst, Harwood, Marriott, Patrick, Schaefer. Total – 6.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1053**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1122 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Higgins to open debate.

The question being, "Shall **S 1122** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1122** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1123 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Simpson to open debate.

The question being, "Shall **S 1123** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1123** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1011 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall **S 1011** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart,

Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Harwood. Total – 1.

Absent and excused – Anderson, Lake. Total – 2.

Total – 70.

Whereupon the Speaker declared that **S 1011** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1132 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

Mr. Eskridge asked unanimous consent that, pursuant to Rule 22, discussion of other legislation be allowed in debate of **S 1132**. There being no objection it was so ordered.

The question being, "Shall **S 1132** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Barrett, Crane, Harwood, Kren, Labrador, Patrick, Schaefer. Total – 7.

Paired Votes:

AYE – Anderson NAY – Labrador

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1132** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1074, as amended, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley and Ms. Pence to open debate.

The question being, "Shall **S 1074**, as amended, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Bedke, Labrador. Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1074**, as amended, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1097 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **S 1097** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Lake, Smith(24), Wood(27). Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1097** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1134 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall **S 1134** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Bedke, Lake, Moyle, Wood(27). Total – 5.

Total – 70.

Whereupon the Speaker declared that **S 1134** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1142 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **S 1142** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor(Marano), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27). Total – 59.

NAYS – Barrett, Boyle, Clark, Harwood, Henderson, Nonini, Raybould, Schaefer, Wood(35), Mr. Speaker. Total – 10.

Absent and excused – Anderson. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1142** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, April 2, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:48 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

EIGHTY-FIRST LEGISLATIVE DAY
THURSDAY, APRIL 2, 2009

House of Representatives

The House convened at 10 a.m., Mr. Moyle in the Chair.

Roll call showed 69 members present.

Absent and excused – Anderson. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Breana Rojas, Page.

Approval of Journal

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eightieth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 1, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 142

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 1, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 41, H 55, H 70, as amended in the Senate, **H 75, H 76**, as amended in the Senate, **H 87, H 88, H 89, H 90, H 91, H 92, H 101, H 103, H 104, H 105, H 107, H 125, H 126, H 127, H 154**, as amended, **H 179, H 192**, and **H 193**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 1, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 109

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 1, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 184

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 1, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 185

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 1, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1046, S 1050, S 1061, S 1065, S 1071**, as amended, **S 1098**, as amended, **S 1109**, as amended, **S 1111, S 1115, S 1127, S 1128**, and **S 1131** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced the Speaker was about to sign enrolled **S 1046, S 1050, S 1061, S 1065, S 1071**, as amended, **S 1098**, as amended, **S 1109**, as amended, **S 1111, S 1115, S 1127, S 1128**, and **S 1131** and, when so signed, ordered them returned to the Senate.

April 1, 2009

Mr. Speaker:

I return herewith enrolled **HJM 3, H 169, H 32**, as amended, **H 38, H 44, H 110, H 111, H 112, H 205, H 206**, and **H 72** which have been signed by the President.

WOOD, Secretary

Enrolled **HJM 3** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 169, H 32**, as amended, **H 38, H 44, H 110, H 111, H 112, H 205, H 206**, and **H 72** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 1, 2009

Mr. Speaker:

I transmit herewith **S 1141**, as amended, as amended, which has passed the Senate.

WOOD, Secretary

S 1141, as amended, as amended, was filed for first reading.

April 1, 2009

Mr. Speaker:

I return herewith **HJM 6, H 46**, as amended, **H 250, H 163, H 222, H 43, H 151**, and **HCR 28** which have passed the Senate.

WOOD, Secretary

HJM 6, H 46, as amended, **H 250, H 163, H 222, H 43, H 151**, and **HCR 28** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HJR 1, H 276, H 277, H 278, H 279**, and **H 280**.

CLARK, Chairman

HJR 1 was referred to the Revenue and Taxation Committee.

H 276, H 277, and **H 280** were filed for second reading.

H 278 was referred to the State Affairs Committee.

H 279 was referred to the Health and Welfare Committee.

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 128, H 129, H 147, H 145**, as amended, **H 160**, as amended, **H 108, H 113, H 115, H 188, H 189, H 190, H 191, H 157**, as amended, **H 212, H 106**, as amended, and **H 213**.

CLARK, Chairman

The Speaker Pro Tem announced the Speaker was about to sign enrolled **H 128, H 129, H 147, H 145**, as amended, **H 160**, as amended, **H 108, H 113, H 115, H 188, H 189, H 190, H 191, H 157**, as amended, **H 212, H 106**, as amended, and **H 213** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 1, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1153** and recommend that it do pass.

CLARK, Chairman

S 1153 was filed for second reading.

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1154** and recommend that it do pass.

NONINI, Chairman

S 1154 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 281 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3004, IDAHO CODE, AS AMENDED IN SECTION 1 OF HOUSE BILL NO. 64, AS AMENDED IN THE SENATE, AS AMENDED IN THE SENATE, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE, TO UPDATE REFERENCES TO THE INTERNAL REVENUE CODE AND TO DELETE LANGUAGE PROVIDING THAT THE ADDITIONAL STANDARD DEDUCTION FOR REAL PROPERTY TAXES FOR NONITEMIZERS DOES APPLY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 281 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1141, as amended, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HP 2, H 275, H 249, as amended, and **H 237**, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

H 272, H 273, and H 274, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1015, S 1020, as amended, and **S 1022**, by Schroeder, were read the second time by title and filed for third reading.

S 1152 and S 1121, as amended in the House, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1086, as amended in the House, and **S 1088**, as amended in the House, by Transportation Committee, were read the second time by title and filed for third reading.

S 1110, as amended in the House, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 225, as amended, by Education Committee, was read the second time by title and filed for third reading.

H 131, as amended, and **H 135**, as amended, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

H 138, as amended, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mrs. Wood(35) asked unanimous consent that **S 1054** be placed on General Orders for consideration. There being no objection it was so ordered.

At this time, the Speaker took the Chair.

H 268, having previously been read the third time at length, was placed before the House for final consideration.

The question being, "Shall **H 268** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Gibbs, Hagedorn, Hartgen, Henderson, Jarvis, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(35), Mr. Speaker. Total – 41.

NAYS – Burgoyne, Chavez, Chew, Cronin, Durst, Harwood, Jaquet, Killen, King, Pence, Ruchti, Rusche, Sayler(Marano), Schaefer, Smith(30). Total – 15.

Absent and excused – Anderson, Barrett, Bedke, Black, Boe, Crane, Eskridge, Hart, Higgins, Kren, Pasley-Stuart, Ringo, Roberts, Wood(27). Total – 14.

Total – 70.

Whereupon the Speaker declared that **H 268** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Friday, April 3, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:45 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**EIGHTY-SECOND LEGISLATIVE DAY
FRIDAY, APRIL 3, 2009**

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused – Anderson, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 6.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Anna Richter, Page.

Approval of Journal

April 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-first Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 2, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 10 and **H 152**, as amended in the Senate,

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 2, 2009

Mr. Speaker:

I return herewith enrolled **HCR 29**, **HCR 12**, **HCR 22**, **H 65**, as amended, **H 164**, **H 168**, and **H 124** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 29**, **HCR 12**, and **HCR 22** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 65**, as amended, **H 164**, **H 168**, and **H 124** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 2, 2009

Mr. Speaker:

I transmit herewith **SCR 111**, **S 1170**, and **S 1156** which have passed the Senate.

WOOD, Secretary

SCR 111, **S 1170**, and **S 1156** were filed for first reading.

April 2, 2009

Mr. Speaker:

I return herewith **HJM 7** which has passed the Senate.

WOOD, Secretary

HJM 7 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 281**.

CLARK, Chairman

H 281 was filed for second reading.

April 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 6**, **H 46**, as amended, **H 250**, **H 163**, **H 222**, **H 43**, **H 151**, and **HCR 28**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HJM 6**, **H 46**, as amended, **H 250**, **H 163**, **H 222**, **H 43**, **H 151**, and **HCR 28** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 3** to the Secretary of State at 10:36 a.m., as of this date, April 2, 2009.

CLARK, Chairman

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 169**, **H 32**, as amended, **H 38**, **H 44**, **H 110**, **H 111**, **H 112**, **H 205**, **H 206**, and **H 72** to the Governor at 10:40 a.m., as of this date, April 2, 2009.

CLARK, Chairman

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **SCR 110**, **SJM 102**, and **S 1096** and recommend that they do pass.

LOERTSCHER, Chairman

SCR 110, SJM 102, and S 1096 were filed for second reading.

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON WAYS AND MEANS, report that we have had under consideration **H 269** and recommend that it be referred to the Education committee.

WILLS, Chairman

H 269 was referred to the Education committee.

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1129** and recommend that it do pass.

BLOCK, Chairman

S 1129 was filed for second reading.

April 2, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1112**, as amended, and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

S 1112, as amended, was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 30

BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

STATING THE FINDINGS OF THE LEGISLATURE; COMMENDING AND HONORING NORTH IDAHO COLLEGE FOR ITS PAST SEVENTY-FIVE YEARS OF SERVICE AND ITS CONTINUING CONTRIBUTIONS TO NOT ONLY THE PEOPLE OF NORTHERN IDAHO, BUT TO THE ENTIRE STATE AND THE REGION, AS AN ACADEMIC AND VOCATIONAL TRAINING INSTITUTION AND AS A CENTER FOR CULTURAL EXPRESSION THROUGH THEATER, ART AND MUSIC; AND EXPRESSING APPRECIATION TO THE MANY INDIVIDUALS AND BUSINESSES THAT HAVE SUPPORTED AND CONTINUE TO SUPPORT NORTH IDAHO COLLEGE, DILIGENTLY AND ENTHUSIASTICALLY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, North Idaho College has now been in existence for over seventy-five years; and

WHEREAS, what is now North Idaho College was begun in June of 1933, when Moritz Brakemeyer presented the concept for a junior college to the Coeur d'Alene Chamber of Commerce directors; and

WHEREAS, during the summer of 1933, supporters of the College went door-to-door to solicit financial support and to recruit potential students; and

WHEREAS, the Coeur d'Alene Junior College opened its doors for classes on the top floor of the Coeur d'Alene City Hall on September 18, 1933, with an enrollment of seventy-four students in the first semester; and

WHEREAS, the Idaho Legislature passed the Idaho Junior College Bill in 1939, giving the College's Board of Trustees the authority to levy a property tax. In response, the Kootenai County taxpayers enthusiastically endorsed the College on June 2, 1939, with property tax support and a new name, North Idaho Junior College; and

WHEREAS, in 1971, the College changed its name to the present, North Idaho College; and

WHEREAS, the College signed the Nine Point Agreement with the Coeur d'Alene Tribe in 1997, to establish a relationship honoring diversity, education, tribal history and tribal contributions to the region; and

WHEREAS, the College has been ably served by eight dedicated presidents since its inception in 1933: Moritz Brakemeyer (1933-1935); Orrin E. Lee (1935-1944); George Kildow (1944-1962); Perry Christianson (1962-1968); Barry Schuler (1968-1986); C. Robert Bennett (1987-1997); Michael Burke (1998-2007); and currently, Priscilla Bell; and

WHEREAS, the growing College moved to its present location, the former site of Fort Sherman, in 1949, and subsequently acquired some 3,400 feet of waterfront on the shores of the Spokane River and Lake Coeur d'Alene in 1977, which secured public access to the beach for generations to come; and

WHEREAS, the growth of the College is evidenced by the construction of a number of buildings that have been named after its loyal and ardent supporters, including: Lee Hall, the College's main classroom building, built in 1949, and named after former President Orrin Lee; the Edminster Student Union, opened in 1961, and named after Anna R. Edminster; a library wing opened in 1962, and named after former President George Kildow; the Shepard/Gridley Dormitory, opened in 1963, honoring two local families who have supported the College with dedication; the Hedlund Vocational Building, named after Idaho Representative Emery Hedlund and opened in 1976; Boswell Hall, begun in 1979, and named after Joyce Boswell, a longtime College instructor; Molstead Library, opened in 1991, and later named in honor of Jessie Molstead, a pioneer resident of Kootenai County and a local elementary school teacher; and the Meyer Health and Sciences Building, named in honor of North Idaho College Foundation board member Steve Meyer and current trustee Judy Meyer, which opened in 2005; and

WHEREAS, the College has reached out to serve Northern Idaho by opening the 38,000 square foot Workforce Training Center in Post Falls in 1994, and by establishing outreach centers in Sandpoint in 2000, in Kellogg in 2005, and in Bonners Ferry in 2006; and

WHEREAS, as of 2008, the College had an enrollment of nearly 14,000 students in college transfer, professional-technical, workforce training and adult basic education programs.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the North Idaho College is commended and honored for its past seventy-five years of service and its continuing contributions to not only the people of Northern Idaho, but to the entire state and the region, as an academic and vocational training institution and as a center for cultural expression through theater, art and music.

BE IT FURTHER RESOLVED that the Idaho Legislature hereby expresses its appreciation to the many individuals and businesses that have supported and continue to support North Idaho College, diligently and enthusiastically.

HCR 30 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 111, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 282
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 283
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE DIVISION OF HUMAN RESOURCES FUND TO THE GENERAL FUND; DIRECTING THE COLLECTION OF CERTAIN FEES BY THE DIVISION OF HUMAN RESOURCES FOR AGENCIES NOT OPERATING UNDER A DELEGATED AUTHORITY MEMORANDUM OF UNDERSTANDING; DIRECTING THE COLLECTION OF CERTAIN FEES BY THE DIVISION OF HUMAN RESOURCES FOR AGENCIES OPERATING UNDER A DELEGATED AUTHORITY MEMORANDUM OF UNDERSTANDING; DIRECTING THE PAYMENT FOR STATEWIDE MANAGEMENT AND HUMAN RESOURCES TRAINING TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; DIRECTING THE DIVISION OF HUMAN RESOURCES TO ADJUST THE PAY SCHEDULE; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 284
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 285
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-406, IDAHO CODE, TO DELETE PROVISION RELATING TO MAIL REGISTRATION FORMS; AMENDING SECTION 34-407, IDAHO CODE, TO PROVIDE FOR PROOF OF IDENTITY RELATING TO PROCEDURES FOR REGISTRATION; AMENDING SECTION 34-408A, IDAHO CODE, TO PROVIDE FOR PROOF OF IDENTITY RELATING TO ELECTION DAY REGISTRATION, TO REVISE PROVISIONS RELATING TO PROOF OF RESIDENCE, TO PROVIDE FOR EXCEPTIONS AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 34-410,

IDAHO CODE, RELATING TO MAIL REGISTRATION; AMENDING SECTION 34-410A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ABSENTEE REGISTRATION AND ABSENTEE VOTING FOR UNIFORMED AND OVERSEAS CITIZENS; AMENDING SECTION 34-1006, IDAHO CODE, TO PROVIDE FOR PROOF OF IDENTITY RELATING TO ABSENT ELECTORS' POLLING PLACE; AMENDING SECTION 34-1106, IDAHO CODE, TO PROVIDE THAT AN ELECTOR DESIRING TO VOTE SHALL PROVIDE PROOF OF IDENTITY, TO DEFINE "PROOF OF IDENTITY," TO PROVIDE FOR A FELONY AND TO PROVIDE FOR EXCEPTIONS; AMENDING CHAPTER 24, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-2444A, IDAHO CODE, TO PROVIDE FOR A VOTER IDENTIFICATION CARD; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 286
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO FEDERALLY FUNDED HIGHWAY PROJECT FINANCING; AMENDING SECTION 40-315, IDAHO CODE, TO REVISE THE DESCRIPTION OF AN ELIGIBLE PROJECT; AND PROVIDING LEGISLATIVE INTENT.

**HOUSE BILL NO. 287
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO IMMUNITIES; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-341, IDAHO CODE, TO PROVIDE AN IMMUNITY OF EMPLOYERS FOR ALLOWING CERTAIN EMPLOYEE FIREARM STORAGE.

**HOUSE BILL NO. 288
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO COMMUNITY INFRASTRUCTURE DISTRICTS; AMENDING SECTION 50-3101, IDAHO CODE, TO REVISE PROVISIONS RELATING TO FORMATION OF COMMUNITY INFRASTRUCTURE DISTRICTS; AMENDING SECTION 50-3102, IDAHO CODE, TO REVISE CERTAIN DEFINITIONS; AMENDING SECTION 50-3103, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NOTICE; AMENDING SECTION 50-3104, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE MANAGER, TREASURER AND CLERK OF A DISTRICT; AMENDING SECTION 50-3105, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE USE OF CERTAIN PUBLIC EASEMENTS AND RIGHTS-OF-WAY AND TO REVISE PROVISIONS RELATING TO COMMUNITY INFRASTRUCTURE LOCATION; AMENDING SECTION 50-3108, IDAHO CODE, TO PROVIDE THAT IN NO EVENT SHALL THE AGGREGATE OUTSTANDING PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS AND ANY OTHER INDEBTEDNESS FOR WHICH THE FULL FAITH AND CREDIT OF THE DISTRICT ARE PLEDGED EXCEED SEVEN PERCENT OF THE ACTUAL OR ADJUSTED MARKET VALUE FOR ASSESSMENT PURPOSES ON CERTAIN PROPERTY AS SUCH VALUATION EXISTED ON A CERTAIN DATE; AMENDING SECTION 50-3109, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ADOPTION OF A CERTAIN RESOLUTION; REPEALING SECTION 50-3113, IDAHO CODE, RELATING TO THE COST OF ADMINISTRATION; AND AMENDING

SECTION 50-3119, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN APPEALS.

HOUSE BILL NO. 289
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT FOR PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 290
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2010; PROVIDING FOR THE RECOVERY OF BANKING SERVICES COSTS TO THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REQUIRING THAT CERTAIN MONEYS BE EXPENDED FOR BANK SERVICE FEES; PROVIDING LEGISLATIVE INTENT FOR PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 291
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT FOR PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 292
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE MILITARY DIVISION FOR FISCAL YEAR 2009; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; GRANTING A CONTINUOUS APPROPRIATION FOR THE BUREAU OF HOMELAND SECURITY'S MISCELLANEOUS REVENUE FUND FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

H 282, H 283, H 284, H 285, H 286, H 287, H 288, H 289, H 290, H 291, and H 292 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1170, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

S 1156, by State Affairs Committee, was introduced, read the first time by title, and held at the Desk.

S 1148, by State Affairs Committee, previously read the first time and held at the Desk, was referred to the Judiciary, Rules and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 276, H 277, and H 280, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1153, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1154, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 249**, as amended, retain its place on the Third Reading Calendar until Monday, April 6, 2009. There being no objection, it was so ordered.

H 267 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall **H 267** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Anderson, Chadderdon, Clark, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 8.

Total – 70.

Whereupon the Speaker declared that **H 267** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 263 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

Mr. Burgoyne asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 263**. There being no objection it was so ordered.

Mrs. Pasley-Stuart moved that **H 263** be returned to the State Affairs Committee. Seconded by Mr. Burgoyne.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion failed by voice vote.

The question being, "Shall **H 263** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bilbao, Black, Boyle, Chadderdon, Clark, Collins, Crane, Hagedorn, Hart, Hartgen, Harwood, Jarvis, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Saylor(Marano),

Schaefer, Shepherd(08), Simpson, Thayn, Wood(35), Mr. Speaker. Total – 32.

NAYS – Barrett, Bell, Block, Boe, Bolz, Burgoyne, Chavez, Chew, Cronin, Durst, Eskridge, Gibbs, Higgins, Jaquet, Killen, King, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Shepherd(02), Shirley, Smith(30), Stevenson, Thompson, Trail, Wills, Wood(27). Total – 32.

Absent and excused – Anderson, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 6.
Total – 70.

Whereupon the Speaker declared that **H 263** failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

H 14, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Simpson to open debate.

The question being, "Shall **H 14**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Anderson, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 6.
Total – 70.

Whereupon the Speaker declared **H 14**, as amended, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 141, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 141**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Anderson, Henderson, Kren, Loertscher, McGeachin, Shepherd(08), Smith(24), Takasugi. Total – 8.

Total – 70.

Whereupon the Speaker declared **H 141**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 159, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **H 159**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Burgoyne, Palmer. Total – 2.

Absent and excused – Anderson, Boyle, Clark, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 8.
Total – 70.

Whereupon the Speaker declared **H 159**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 217, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 217**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Anderson, Boyle, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 7.
Total – 70.

Whereupon the Speaker declared **H 217**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 272 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 272** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Jaquet, Jarvis, Killen, Kren, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Ringo, Roberts, Sayler(Marano), Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 45.

NAYS – Boe, Boyle, Burgoyne, Chavez, Chew, Cronin, Durst, Hagedorn, Harwood, Higgins, King, Labrador, Pasley-Stuart, Pence, Ruchti, Rusche, Schaefer, Smith(30), Wood(35). Total – 19.

Absent and excused – Anderson, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 272** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mrs. Wood(35) asked unanimous consent that her vote be changed from Nay to Aye. There being an objection, the request was denied.

Mr. Moyle asked unanimous consent that Representative Wood(35) be allowed to change her vote from Nay to Aye in **H 272**. There being no objection, it was so ordered.

Corrected roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Jaquet, Jarvis, Killen, Kren, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Ringo, Roberts, Sayler(Marano), Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 46.

NAYS – Boe, Boyle, Burgoyne, Chavez, Chew, Cronin, Durst, Hagedorn, Harwood, Higgins, King, Labrador, Pasley-Stuart, Pence, Ruchti, Rusche, Schaefer, Smith(30). Total – 18.

Absent and excused – Anderson, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 6.

Total – 70.

H 273 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 273** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hartgen, Jaquet, Jarvis, Killen, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Patrick, Raybould,

Ringo, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 42.

NAYS – Boe, Boyle, Burgoyne, Chavez, Chew, Cronin, Durst, Hagedorn, Hart, Harwood, Higgins, King, Kren, Labrador, Palmer, Pasley-Stuart, Pence, Ruchti, Rusche, Sayler(Marano), Schaefer, Smith(30). Total – 22.

Absent and excused – Anderson, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 273** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 274 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 274** pass?"

Roll call resulted as follows:

AYES – Andrus, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hartgen, Jaquet, Killen, Lake, Luker, Marriott, Mathews, Moyle, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 40.

NAYS – Barrett, Bayer, Boe, Boyle, Burgoyne, Chavez, Chew, Clark, Cronin, Durst, Hagedorn, Hart, Harwood, Higgins, Jarvis, King, Kren, Labrador, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Schaefer. Total – 24.

Absent and excused – Anderson, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 274** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 275 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 275** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Chavez, Durst, King, Pasley-Stuart, Pence, Ringo, Rusche, Sayler(Marano), Smith(30). Total – 9.

Absent and excused – Anderson, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 275** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 225, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thayn to open debate.

The question being, "Shall **H 225**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Gibbs. Total – 1.

Absent and excused – Anderson, Boe, Henderson, Loertscher, McGeachin, Smith(24), Takasugi, Wills. Total – 8.
Total – 70.

Whereupon the Speaker declared that **H 225**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 131, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mathews to open debate.

Mr. Mathews asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 131**, as amended. There being no objection it was so ordered.

The question being, "Shall **H 131**, as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Jarvis, King, Kren, Labrador, Luker, Mathews, Moyle, Nielsen, Palmer, Patrick, Raybould, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 44.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Eskridge, Higgins, Jaquet, Killen, Lake, Marriott, Nonini, Pasley-Stuart, Pence, Ringo, Rusche, Sayler(Marano), Smith(30), Stevenson. Total – 19.

Absent and excused – Anderson, Clark, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 7.
Total – 70.

Whereupon the Speaker declared that **H 131**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, April 6, 2009. There being no objection, it was so ordered.

Mr. Thompson, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which **H 263** failed the House.

H 263 was ordered held at the Desk.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 276** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 276** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Clark, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 7.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 276** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

Pursuant to Rule 38(3), Mr. Simpson disclosed a conflict of interest regarding **H 276**.

Mrs. Bell asked unanimous consent that **H 276** retain its place on the Third Reading Calendar until Monday, April 6, 2009. There being no objection, it was so ordered.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 277** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 277** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez,

Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Clark, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 7.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 277** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 277** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hartgen, Jaquet, Jarvis, Killen, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Ringo, Roberts, Ruchti, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 44.

NAYS – Barrett, Burgoyne, Chavez, Chew, Cronin, Durst, Hagedorn, Hart, Harwood, Higgins, King, Kren, Labrador, Pasley-Stuart, Pence, Rusche, Sayler(Marano), Schaefer, Smith(30). Total – 19.

Absent and excused – Anderson, Clark, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 7.

Paired Votes:

AYE – Eskridge NAY – Chavez

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 277** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 280** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 280** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler(Marano), Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30),

Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Clark, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 7.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 280** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 280** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hartgen, Jaquet, Killen, Lake, Marriott, Moyle, Nonini, Patrick, Raybould, Ringo, Ruchti, Rusche, Shepherd(02), Shepherd(08), Shirley, Smith(30), Stevenson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 38.

NAYS – Burgoyne, Chavez, Chew, Cronin, Durst, Hagedorn, Hart, Harwood, Higgins, Jarvis, King, Kren, Labrador, Luker, Mathews, Nielsen, Palmer, Pasley-Stuart, Pence, Roberts, Sayler(Marano), Schaefer, Simpson, Thayn, Thompson. Total – 25.

Absent and excused – Anderson, Clark, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 7.

Paired Votes:

AYE – Eskridge NAY – Chavez

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 280** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Thompson moved that the House reconsider the vote by which **H 263** failed the House. Seconded by Mr. Hart.

The question being, "Shall the motion pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Block, Boyle, Chadderdon, Collins, Crane, Hagedorn, Hart, Hartgen, Harwood, Jarvis, Kren, Labrador, Mathews, Moyle, Nielsen, Nonini, Palmer, Roberts, Schaefer, Shepherd(02), Shepherd(08), Simpson, Thayn, Thompson, Wood(35), Mr. Speaker. Total – 30.

NAYS – Bell, Bilbao, Black, Boe, Bolz, Burgoyne, Chavez, Chew, Cronin, Durst, Gibbs, Higgins, Jaquet, Killen, King, Lake, Luker, Marriott, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler(Marano), Shirley, Smith(30), Stevenson, Trail, Wills, Wood(27). Total – 32.

Absent and excused – Anderson, Clark, Eskridge, Henderson, Loertscher, McGeachin, Smith(24), Takasugi. Total – 8.

Total – 70.

Whereupon the Speaker declared the motion to reconsider failed and **H 263**, having failed the House, was filed in the office of the Chief Clerk.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, April 6, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:45 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

EIGHTY-FIFTH LEGISLATIVE DAY
MONDAY, APRIL 6, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused – Boe, Nonini, Ringo, Ruchti, Schaefer, Smith(30). Total – 6.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Anna Richter, Page.

Approval of Journal

April 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 3, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 32, as amended, **H 38**, **H 44**, **H 72**, **H 169**, **H 205**, and **H 206**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 3, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1011**, **S 1053**, as amended, **S 1074**, as amended, as amended, **S 1097**, **S 1122**, **S 1123**, **S 1126**, **S 1132**, **S 1134**, and **S 1142** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1011**, **S 1053**, as amended, **S 1074**, as amended, as amended, **S 1097**, **S 1122**, **S 1123**, **S 1126**, **S 1132**, **S 1134**, and **S 1142** and, when so signed, ordered them returned to the Senate.

April 3, 2009

Mr. Speaker:

I return herewith enrolled **H 128**, **H 129**, **H 147**, **H 145**, as amended, **H 160**, as amended, **H 108**, **H 113**, **H 115**, **H 188**, **H 189**, **H 190**, **H 191**, **H 157**, as amended, **H 212**, **H 106**, as amended, and **H 213** which have been signed by the President.

WOOD, Secretary

Enrolled **H 128**, **H 129**, **H 147**, **H 145**, as amended, **H 160**, as amended, **H 108**, **H 113**, **H 115**, **H 188**, **H 189**, **H 190**, **H 191**, **H 157**, as amended, **H 212**, **H 106**, as amended, and **H 213** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 3, 2009

Mr. Speaker:

I transmit herewith **S 1171**, **S 1172**, **S 1173**, and **S 1174** which have passed the Senate.

WOOD, Secretary

S 1171, **S 1172**, **S 1173**, and **S 1174** were filed for first reading.

April 3, 2009

Mr. Speaker:

I return herewith **H 173** which has passed the Senate.

WOOD, Secretary

H 173 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 30**, **H 282**, **H 283**, **H 284**, **H 285**, **H 286**, **H 287**, **H 288**, **H 289**, **H 290**, **H 291**, and **H 292**.

CLARK, Chairman

Mrs. Bell asked unanimous consent that **H 289** be returned to the Appropriations Committee. There being no objection, it was so ordered.

HCR 30, **H 282**, **H 283**, **H 284**, **H 290**, **H 291**, and **H 292** were filed for second reading.

H 285 and **H 287** were referred to the State Affairs Committee.

H 286 was referred to the Transportation and Defense Committee.

H 288 was referred to the Ways and Means Committee.

April 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 7**, **H 14**, as amended, as amended in the Senate, **H 141**, as amended in the Senate, **H 159**, as amended in the Senate, and **H 217**, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HJM 7**, **H 14**, as amended, as amended in the Senate, **H 141**, as amended in the Senate, **H 159**, as amended in the Senate, and **H 217**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 65**, as amended, **H 164**, **H 168**, and **H 124** to the Governor at 1:30 p.m., as of this date, April 3, 2009.

CLARK, Chairman

April 3, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 29**, **HCR 12**, and **HCR 22** to the Secretary of State at 1:20 p.m., as of this date, April 3, 2009.

CLARK, Chairman

April 3, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1151** and recommend that it do pass.

BLACK, Chairman

S 1151 was filed for second reading.

April 6, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 269** and recommend that it do pass.

NONINI, Chairman

H 269 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 293 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON THE BUSINESS AND JOBS DEVELOPMENT FUND; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 294 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE GENERAL FUND; DIRECTING THE STATE CONTROLLER TO COLLECT MONEYS FOR HEALTH BENEFITS; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS FOR THE COMPUTER SERVICES CENTER;

PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 295 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 296 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING AND DIRECTING THE TRANSFER OF MONEYS FROM THE GENERAL FUND TO THE GUARDIAN AD LITEM FUND; APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 297 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS AND DIRECTING A TRANSFER OF FUNDS TO THE STATE INDEPENDENT LIVING COUNCIL FUND FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE IDAHO STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

H 293, **H 294**, **H 295**, **H 296**, and **H 297** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1171, **S 1172**, **S 1173**, and **S 1174**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 281, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

SCR 110 and **S 1129**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

SJM 102, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1096, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

S 1170, by Finance Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Tuesday, April 7, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 10:47 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

EIGHTY-SIXTH LEGISLATIVE DAY
TUESDAY, APRIL 7, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Nonini. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Philip Alexander, Page.

Approval of Journal

April 7, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-fifth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Report of Standing Committees

April 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 293**, **H 294**, **H 295**, **H 296**, and **H 297**.

CLARK, Chairman

H 293, **H 294**, **H 295**, **H 296**, and **H 297** were filed for second reading.

April 7, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 173**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 173** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

April 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 128**, **H 129**, **H 147**, **H 145**, as amended, **H 160**, as amended, **H 108**, **H 113**, **H 115**, **H 188**, **H 189**, **H 190**, **H 191**, **H 157**, as

amended, **H 212**, **H 106**, as amended, and **H 213** to the Governor at 12 noon, as of this date, April 6, 2009.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 298 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

H 298 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 30, by Ways and Means Committee, was read the second time by title and filed for third reading.

H 282, **H 283**, **H 284**, **H 290**, **H 291**, and **H 292**, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1151, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

H 269, by Education Committee, was read the second time by title and filed for third reading.

S 1171, **S 1172**, **S 1173**, and **S 1174**, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 237**, as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **H 135**, as amended, retain its place on the Third Reading Calendar until Thursday, April 9, 2009. There being no objection, it was so ordered.

H 249, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon to open debate.

The question being, "Shall **H 249**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher,

S 1013 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Smith(30) to open debate.

The question being, "Shall **S 1013** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Nonini, Patrick. Total – 2.

Total – 70.

Whereupon the Speaker declared that **S 1013** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1146 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **S 1146** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Palmer, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Moyle, Schaefer. Total – 2.

Absent and excused – Nonini, Pasley-Stuart, Patrick. Total – 3.

Total – 70.

Whereupon the Speaker declared that **S 1146** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1158 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) and Mr. Rusche to open debate.

Mr. Wood(27) asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1158**. There being no objection it was so ordered.

The question being, "Shall **S 1158** pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez,

Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Moyle, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27). Total – 54.

NAYS – Andrus, Barrett, Hart, Harwood, Loertscher, Marriott, Mathews, McGeachin, Nielsen, Palmer, Shepherd(08), Simpson, Thompson, Wood(35), Mr. Speaker. Total – 15.

Absent and excused – Nonini. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1158** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1159 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1159** pass?"

Roll call resulted as follows:

AYES – Bayer, Bell, Block, Chadderdon, Collins, Crane, Durst, Gibbs, Hagedorn, Harwood, Kren, Labrador, Loertscher, McGeachin, Moyle, Nielsen, Nonini, Raybould, Schaefer, Shirley, Simpson, Thayn, Thompson, Wills, Mr. Speaker. Total – 25.

NAYS – Anderson, Andrus, Barrett, Bedke, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chavez, Chew, Clark, Cronin, Eskridge, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Luker, Marriott, Mathews, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Smith(30), Smith(24), Stevenson, Takasugi, Trail, Wood(27), Wood(35). Total – 45.

Paired Votes:

AYE – Nonini NAY – King

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1159** failed to pass the House and ordered the bill returned to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., Mr. Moyle in the Chair.

Roll call showed 67 members present.

Absent and excused – Lake, Nonini, Mr. Speaker. Total – 3. Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bedke asked unanimous consent that **S 1152** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

S 1015 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Boyle to open debate.

The question being, "Shall **S 1015** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Patrick, Pence, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 53.

NAYS – Boe, Burgoyne, Chavez, Chew, Higgins, Killen, Pasley-Stuart, Ringo, Ruchti, Rusche, Sayler, Smith(30). Total – 12.

Absent and excused – Bayer, Hart, Lake, Nonini, Mr. Speaker. Total – 5.
Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1015** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1020, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall **S 1020**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 64.

NAYS – Boyle. Total – 1.

Absent and excused – Bayer, Hart, Lake, Nonini, Mr. Speaker. Total – 5.
Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1020**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1022 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Chavez to open debate.

The question being, "Shall **S 1022** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche,

Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 65.

NAYS – None.

Absent and excused – Bayer, Hart, Lake, Nonini, Mr. Speaker. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1022** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1121, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1121**, as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 66.

NAYS – None.

Absent and excused – Hart, Lake, Nonini, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1121**, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1086, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood(35) to open debate.

The question being, "Shall **S 1086**, as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Mathews, McGeachin, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 50.

NAYS – Bell, Burgoyne, Clark, Harwood, Kren, Labrador, Loertscher, Luker, Marriott, Moyle, Palmer, Roberts, Smith(24), Stevenson, Thayn. Total – 15.

Absent and excused – Crane, Hart, Lake, Nonini, Mr. Speaker. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1086**, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1088, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood(35) to open debate.

The question being, "Shall **S 1088**, as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Mathews, McGeachin, Nielsen, Pasley-Stuart, Pence, Ringo, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 46.

NAYS – Bell, Burgoyne, Clark, Gibbs, Kren, Labrador, Loertscher, Luker, Marriott, Moyle, Palmer, Patrick, Raybould, Roberts, Rusche, Smith(24), Stevenson, Thayn. Total – 18.

Absent and excused – Crane, Hart, Harwood, Lake, Nonini, Mr. Speaker. Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1088**, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1110, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Labrador to open debate.

The question being, "Shall **S 1110**, as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 64.

NAYS – None.

Absent and excused – Crane, Hart, Kren, Lake, Nonini, Mr. Speaker. Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1110**, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1153 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1153** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 65.

NAYS – None.

Absent and excused – Hart, Kren, Lake, Nonini, Mr. Speaker. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1153** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1154 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley and Mr. Hartgen to open debate.

The question being, "Shall **S 1154** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Mathews, McGeachin, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 64.

NAYS – Barrett, Marriott, Moyle. Total – 3.

Absent and excused – Lake, Nonini, Mr. Speaker. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1154** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 9:30 a.m., Wednesday, April 8, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:32 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

EIGHTY-SEVENTH LEGISLATIVE DAY
WEDNESDAY, APRIL 8, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Nonini, Smith(24). Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Brigham Duncan, Page.

Approval of Journal

April 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

April 7, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1004**, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1004**, as amended in the House, and, when so signed, ordered it returned to the Senate.

April 7, 2009

Mr. Speaker:

I return herewith enrolled **HJM 6**, **H 46**, as amended, **H 250**, **H 163**, **H 222**, **H 43**, **H 151**, **HCR 28**, **HJM 7**, **H 14**, as amended, as amended in the Senate, **H 141**, as amended in the Senate, **H 159**, as amended in the Senate, and **H 217**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **HJM 6**, **HCR 28**, and **HJM 7** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 46**, as amended, **H 250**, **H 163**, **H 222**, **H 43**, **H 151**, **H 14**, as amended, as amended in the Senate, **H 141**, as amended in the Senate, **H 159**, as amended in the Senate,

and **H 217**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 8, 2009

Mr. Speaker:

I transmit herewith **S 1186** which has passed the Senate.

WOOD, Secretary

S 1186 was filed for first reading.

April 7, 2009

Mr. Speaker:

I return herewith **HJM 4** and **HCR 23** which have passed the Senate.

WOOD, Secretary

HJM 4 and **HCR 23** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 8, 2009

Mr. Speaker:

I return herewith **H 255**, **H 170**, and **H 220** which have passed the Senate.

WOOD, Secretary

H 255, **H 170**, and **H 220** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 7, 2009

Mr. Speaker:

I return herewith **H 194**, as amended in the Senate, and **H 232**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 194, as amended in the Senate, and **H 232**, as amended in the Senate, were ordered held at the Desk.

Mr. Gibbs asked unanimous consent that the House concur in the Senate amendments to **H 194**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Schaefer asked unanimous consent that the House concur in the Senate amendments to **H 232**, as amended in the Senate. There being no objection, it was so ordered.

H 194, as amended in the Senate, and **H 232**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

April 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 298**.

CLARK, Chairman

H 298 was filed for second reading.

April 7, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1145** and recommend that it do pass.

LOERTSCHER, Chairman

S 1145 was filed for second reading.

April 7, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1141**, as amended, as amended, and recommend that it do pass.
 STEVENSON, Chairman

S 1141, as amended, as amended, was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
 of Bills and Joint Resolutions**

**HOUSE BILL NO. 299
 BY APPROPRIATIONS COMMITTEE
 AN ACT**

APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR STATEWIDE SUBSTANCE ABUSE SERVICES FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 300
 BY APPROPRIATIONS COMMITTEE
 AN ACT**

APPROPRIATING MONEYS AND DIRECTING A TRANSFER OF FUNDS TO THE PUBLIC HEALTH TRUST FUND FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 301
 BY APPROPRIATIONS COMMITTEE
 AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 302
 BY APPROPRIATIONS COMMITTEE
 AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE STATE CONTROLLER TO TRANSFER FUNDS FROM THE RURAL ECONOMIC DEVELOPMENT INTEGRATED FREIGHT TRANSPORTATION FUND TO THE GENERAL FUND; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 303
 BY WAYS AND MEANS COMMITTEE
 AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-1004, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INSTRUCTIONAL STAFF ALLOWANCE; AND AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1619, IDAHO CODE, TO PROVIDE THAT SCHOOL DISTRICTS MAY OFFER VIRTUAL SCHOOL INSTRUCTION, TO PROVIDE THAT SCHOOL DISTRICTS MAY OFFER A BLEND OF VIRTUAL AND TRADITIONAL INSTRUCTION AND TO PROVIDE FOR THE COUNTING AND REPORTING OF AVERAGE DAILY ATTENDANCE.

**HOUSE BILL NO. 304
 BY WAYS AND MEANS COMMITTEE
 AN ACT**

RELATING TO LAWS AGAINST GAMING; REPEALING SECTION 18-3808, IDAHO CODE, RELATING TO OFFICERS ENFORCING THE LAWS AGAINST GAMING.

**HOUSE BILL NO. 305
 BY WAYS AND MEANS COMMITTEE
 AN ACT**

RELATING TO WORKER'S COMPENSATION AND RELATED LAWS; AMENDING SECTION 72-804, IDAHO CODE, TO PROVIDE FOR ATTORNEY'S FEES AND CERTAIN COSTS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 306
 BY WAYS AND MEANS COMMITTEE
 AN ACT**

RELATING TO PHARMACISTS; AMENDING SECTION 37-3201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1704, IDAHO CODE, TO REVISE THE DEFINITION OF THE "PRACTICE OF PHARMACY" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1705, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE NEW TERMS; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1723A, IDAHO CODE, TO PROVIDE FOR REGISTRATION TO ENGAGE IN THE PRACTICE OF PHARMACY ACROSS STATE LINES; AMENDING SECTION 54-1729, IDAHO CODE, TO REQUIRE AN APPLICATION FOR A CERTIFICATE OF REGISTRATION FOR A TELEPHARMACY DRUG OUTLET ACROSS STATE LINES, TO PROVIDE FOR THE REGISTRATION OF CERTAIN INDIVIDUALS ENGAGED IN THE PRACTICE OF TELEPHARMACY ACROSS STATE LINES, TO PROVIDE FOR THE PAYMENT OF CERTAIN FEES BY CERTAIN DRUG OUTLETS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4702, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 54-5110, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 307
 BY WAYS AND MEANS COMMITTEE
 AN ACT**

RELATING TO THE DISTRIBUTION OF SALES TAX REVENUES; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO PROVIDE FOR A DISTRIBUTION TO THE HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION

FUND, TO PROVIDE CERTAIN EFFECTIVE DATES AND TO DEFINE A TERM; AND PROVIDING AN EFFECTIVE DATE.

H 299, H 300, H 301, H 302, H 303, H 304, H 305, H 306, and **H 307** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1186, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 293, H 294, H 295, H 296, and **H 297**, by Appropriations Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Loertscher asked unanimous consent that **H 237**, as amended, be returned to the State Affairs Committee. There being no objection, it was so ordered.

H 282 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 282** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Barrett, Boyle, Burgoyne, Durst, Hagedorn, Harwood, Higgins, Palmer, Schaefer. Total – 9.

Absent and excused – Black, Henderson, Nonini, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 282** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 283 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 283** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Burgoyne, Durst, Hagedorn, Harwood, Higgins, Pasley-Stuart, Schaefer. Total – 7.

Absent and excused – Black, Henderson, Nonini, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 283** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 284 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 284** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Marriott, Mathews, McGeachin, Moyle, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

NAYS – Barrett, Boyle, Burgoyne, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Loertscher, Luker, Nielsen, Palmer, Schaefer, Thayn. Total – 15.

Absent and excused – Black, Henderson, Nonini, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 284** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 290 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 290** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Burgoyne, Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Black, Nonini, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that **H 290** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 291 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 291** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 291** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 292 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 292** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Nonini, Smith(24). Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 292** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 269 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 269** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley,

Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Nonini, Smith(24). Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 269** passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 30 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon to open debate.

The question being, "Shall **HCR 30** be adopted?"

Whereupon the Speaker declared **HCR 30** adopted by voice vote and ordered the resolution transmitted to the Senate.

S 1096 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **S 1096** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Nonini, Ruchti, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1096** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1129 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **S 1129** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Nonini, Raybould, Ruchti, Schaefer, Smith(24). Total – 5.
Total – 70.

Whereupon the Speaker declared that **S 1129** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1170 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1170** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Nonini, Smith(24). Total – 2.
Total – 70.

Whereupon the Speaker declared that **S 1170** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1151 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **S 1151** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Nonini, Shirley, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1151** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1171 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **S 1171** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Nonini, Shirley, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1171** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1172 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **S 1172** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Harwood, Higgins, Schaefer. Total – 4.

Absent and excused – Hagedorn, Nonini, Shirley, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1172** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1173 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1173** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst, Harwood, Higgins, Schaefer. Total – 4.

Absent and excused – Hagedorn, Nonini, Smith(24).
Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1173** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1174 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1174** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst, Harwood, Higgins, Schaefer. Total – 4.

Absent and excused – Hagedorn, Nonini, Smith(24).
Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1174** passed the House. Title was approved and the bill ordered returned to the Senate.

SJR 101 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **SJR 101** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Burgoyne, Durst, Schaefer. Total – 3.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, **SJR 101** passed the House. Title was approved and the resolution ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

April 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 303**.

CLARK, Chairman

H 303 was referred to the Education Committee.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 293** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 293** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 293** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 293** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 293** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 294** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 294** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 294** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **H 294** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 294** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 295** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 295** be read the first time by title, second time by title, and third time at

length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 295** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 295** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – Burgoyne, Durst, Hagedorn, Harwood, Higgins, Pence, Schaefer, Trail, Wood(35). Total – 9.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 295** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 296** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 296** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo,

Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 296** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 296** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 296** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 297** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 297** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion

carried, the rules were suspended, and **H 297** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 297** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Schaefer, Thayn, Wood(35). Total – 9.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that **H 297** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Thursday, April 9, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:02 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

EIGHTY-EIGHTH LEGISLATIVE DAY
THURSDAY, APRIL 9, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused – Hart, Jarvis, Nonini, Schaefer, Shepherd(02). Total – 5.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

April 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-seventh Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 8, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 65, as amended, **H 110**, **H 111**, **H 112**, **H 124**, and **H 164**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 8, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 106, as amended, **H 108**, **H 113**, **H 115**, **H 128**, **H 129**, **H 145**, as amended, **H 157**, as amended, **H 160**, as amended, **H 188**, **H 189**, **H 190**, **H 191**, and **H 213**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 8, 2009

Mr. Speaker:

I return herewith enrolled **H 173** which has been signed by the President.

WOOD, Secretary

Enrolled **H 173** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 8, 2009

Mr. Speaker:

I return herewith **H 230**, **H 242**, **H 161**, as amended, **H 97**, as amended, **H 241**, and **H 252** which have passed the Senate.

WOOD, Secretary

H 230, **H 242**, **H 161**, as amended, **H 97**, as amended, **H 241**, and **H 252** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 299**, **H 300**, **H 301**, **H 302**, **H 304**, **H 305**, **H 306**, and **H 307**.

CLARK, Chairman

H 299, **H 300**, **H 301**, and **H 302** were filed for second reading.

H 304 and **H 307** were referred to the Ways and Means Committee.

H 305 was referred to the Commerce and Human Resources Committee.

H 306 was referred to the Health and Welfare Committee.

April 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 4**, **HCR 23**, **H 255**, **H 170**, and **H 220**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HJM 4**, **HCR 23**, **H 255**, **H 170**, and **H 220** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 194**, as amended in the Senate, and **H 232**, as amended in the Senate.

CLARK, Chairman

H 194, as amended in the Senate, and **H 232**, as amended in the Senate, were filed for first reading of engrossed bills.

April 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 6**, **HCR 28**, and **HJM 7** to the Secretary of State at 1:20 p.m., as of this date, April 8, 2009.

CLARK, Chairman

April 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 46**, as amended, **H 250**, **H 163**, **H 222**, **H 43**, **H 151**, **H 14**, as amended, as amended in the Senate, **H 141**, as amended in the Senate, **H 159**, as amended in the Senate, and **H 217**, as amended in the Senate, to the Governor at 12:35 p.m., as of this date, April 8, 2009.

CLARK, Chairman

April 9, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 287** and recommend that it do pass.

LOERTSCHER, Chairman

H 287 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 308 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS FOR THE HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR THE SEVERAL DESIGNATED PROGRAMS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 309 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS FOR COMMUNITY COLLEGES FOR FISCAL YEAR 2010; AND DIRECTING THE ALLOCATION OF CERTAIN FUNDS.

HOUSE BILL NO. 310 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS FOR THE SPECIAL PROGRAMS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR THE DESIGNATED PROGRAM; SETTING FORTH THE CONDITIONS FOR THE REAPPROPRIATION; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

H 308, **H 309**, and **H 310** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 194, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

H 232, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 298, by Appropriations Committee, was read the second time by title and filed for third reading.

S 1145, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1141, as amended, as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1186, by Finance Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 135, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

Mr. Bedke asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 135**, as amended. There being no objection it was so ordered.

The question being, "Shall **H 135**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Black, Block, Boe, Bolz, Chadderdon, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Luker, Moyle, Patrick, Raybould, Ringo, Roberts, Shirley, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 32.

NAYS – Barrett, Bayer, Bell, Bilbao, Boyle, Burgoyne, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Harwood, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Thompson. Total – 37.

Absent and excused – Hart. Total – 1.

Paired Votes:

AYE – Jarvis NAY – Shepherd(08)

AYE – Higgins NAY – Shepherd(02)

AYE – Black NAY – Schaefer

AYE – Shirley NAY – Nonini

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 135**, as amended, failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

SCR 105 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **SCR 105** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Hart, Jarvis, Nonini, Schaefer, Shepherd(02), Shepherd(08), Smith(24). Total – 7.

Total – 70.

Whereupon the Speaker declared **SCR 105** adopted and ordered the resolution returned to the Senate.

SCR 104 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **SCR 104** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Collins, Hart, Jarvis, Nonini, Schaefer, Shepherd(02), Shepherd(08), Smith(24). Total – 8.

Total – 70.

Whereupon the Speaker declared **SCR 104** adopted and ordered the resolution returned to the Senate.

SCR 106 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **SCR 106** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Hart, Jarvis, Nonini, Schaefer, Shepherd(02), Wood(35). Total – 6.

Total – 70.

Whereupon the Speaker declared **SCR 106** adopted and ordered the resolution returned to the Senate.

SCR 103 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **SCR 103** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Kren, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Patrick, Raybould, Roberts, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 45.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Smith(30). Total – 17.

Absent and excused – Bedke, Hart, Jarvis, Labrador, Lake, Nonini, Schaefer, Shepherd(02). Total – 8.

Total – 70.

Whereupon the Speaker declared **SCR 103** adopted and ordered the resolution returned to the Senate.

SCR 109 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall **SCR 109** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Barrett, Clark, Harwood. Total – 3.

Absent and excused – Burgoyne, Hart, Jarvis, Labrador, Nonini, Schaefer, Shepherd(02). Total – 7.
Total – 70.

Whereupon the Speaker declared **SCR 109** adopted and ordered the resolution returned to the Senate.

SCR 107 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **SCR 107** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Clark, Durst, Moyle. Total – 3.

Absent and excused – Burgoyne, Cronin, Hart, Jarvis, Kren, Labrador, Nonini, Schaefer, Shepherd(02). Total – 9.
Total – 70.

Whereupon the Speaker declared **SCR 107** adopted and ordered the resolution returned to the Senate.

SCR 108 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall **SCR 108** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – None.

Absent and excused – Clark, Cronin, Hart, Harwood, Jarvis, Kren, Labrador, Nonini, Schaefer, Shepherd(02). Total – 10.
Total – 70.

Whereupon the Speaker declared **SCR 108** adopted and ordered the resolution returned to the Senate.

SCR 110 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall **SCR 110** be adopted?"

Whereupon the Speaker declared **SCR 110** adopted by voice vote and ordered the resolution returned to the Senate.

SJM 101 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sayler to open debate.

The question being, "Shall **SJM 101** be adopted?"

Whereupon the Speaker declared **SJM 101** adopted by voice vote and ordered the memorial returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 298** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 298** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Hart, Jarvis, Labrador, Nielsen, Nonini, Schaefer, Shepherd(02). Total – 7.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 298** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 298** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Killen, King, Kren, Lake, Marriott, Mathews, McGeachin, Moyle, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 54.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins, Luker, Palmer, Thayn. Total – 8.

Absent and excused – Hart, Jarvis, Labrador, Loertscher, Nonini, Schaefer, Shepherd(02), Wood(35). Total – 8.
Total – 70.

Whereupon the Speaker declared that **H 298** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, April 10, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:12 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

EIGHTY-NINTH LEGISLATIVE DAY
FRIDAY, APRIL 10, 2009

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 61 members present.

Absent and excused – Jarvis, Lake, Loertscher, McGeachin, Nonini, Schaefer, Shepherd(02), Simpson, Trail. Total – 9.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Taleesha Willie, Page.

Approval of Journal

April 10, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-eighth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 9, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 14, as amended, as amended in the Senate, **H 46**, as amended, **H 151**, **H 159**, as amended in the Senate, **H 163**, **H 217**, as amended in the Senate, and **H 222**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 9, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 212

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 9, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 168

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
Boise

April 9, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I am transmitting today to the Secretary of State the following House bill which will be allowed to become law without my signature within the time limited by law:

H 147

Idahoans deserve safe roads. I have worked tirelessly since becoming Governor to improve our state highway system and make our roads and bridges safe for everyone. While I believe House Bill 147 will help increase safety on our roads by adding regulations for commercial drivers, I lament the continued degradation of federalism in America today.

Ronald Reagan once said, "I believe in state's rights, I believe we have distorted the balance of our government today by giving powers that were never intended to be given in the Constitution to that Federal Establishment." To be clear, I do not oppose the changes suggested by House Bill 147, nor do I take issue with the Legislature's action. What I oppose is the manner in which the federal government has dictated these changes to Idaho and the Legislature.

I cannot help but believe that the vote on this legislation was partially the consequence of the federal government's threat to

withhold millions of dollars for our roads every year unless Idaho conforms to federal mandates for commercial drivers.

In my opinion the merits of a bill - not blackmail, extortion, threats, fear or uncertainty - should be the driving force for enacting law. The federal government has forgotten this principle.

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 9, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1013, S 1015, S 1020**, as amended, **S 1022, S 1108**, as amended, **S 1146, S 1153, S 1154**, and **S 1158** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1013, S 1015, S 1020**, as amended, **S 1022, S 1108**, as amended, **S 1146, S 1153, S 1154**, and **S 1158** and, when so signed, ordered them returned to the Senate.

April 9, 2009

Mr. Speaker:

I transmit herewith **S 1165, S 1167, S 1169, S 1185, S 1176, S 1177, S 1178, S 1179, S 1180, S 1181, S 1183, S 1187, S 1188, S 1189, S 1190, S 1191, S 1149, S 1162, S 1140**, as amended, and **S 1175**, as amended, which have passed the Senate.

WOOD, Secretary

S 1165, S 1167, S 1169, S 1185, S 1176, S 1177, S 1178, S 1179, S 1180, S 1181, S 1183, S 1187, S 1188, S 1189, S 1190, S 1191, S 1149, S 1162, S 1140, as amended, and **S 1175**, as amended, were filed for first reading.

Report of Standing Committees

April 10, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 308, H 309**, and **H 310**.

CLARK, Chairman

H 308, H 309, and **H 310** were filed for second reading.

April 10, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 230, H 242, H 161**, as amended, **H 97**, as amended, **H 241**, and **H 252**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 230, H 242, H 161**, as amended, **H 97**, as amended, **H 241**, and **H 252** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 173** to the Governor at 11:50 a.m., as of this date, April 9, 2009.

CLARK, Chairman

April 9, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 303** and recommend that it do pass.

NONINI, Chairman

H 303 was filed for second reading.

April 9, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1148** and recommend that it do pass.

CLARK, Chairman

S 1148 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1165, by State Affairs Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1167, S 1169, S 1185, and **S 1175**, as amended, by State Affairs Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1149 and **S 1162**, by Judiciary and Rules Committee, were introduced, read the first time by title, and held at the Desk.

S 1183, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1140, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

S 1176, S 1177, S 1178, S 1179, S 1180, S 1181, S 1187, S 1188, S 1189, S 1190, and **S 1191**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 299, H 300, H 301, and **H 302**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 287, by Ways and Means Committee, was read the second time by title and filed for third reading.

H 194, as amended in the Senate, by State Affairs Committee, was read the second time by title and filed for third reading.

H 232, as amended in the Senate, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mrs. Wood(35) asked unanimous consent that **S 1054** be returned to the Third Reading Calendar from General Orders. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **S 1186** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1186 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1186** pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Henderson, Higgins, Jaquet, Killen, King, Kren, Labrador, Moyle, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Smith(30), Stevenson, Takasugi, Trail, Wills. Total – 39.

NAYS – Andrus, Barrett, Bedke, Boyle, Clark, Hagedorn, Hart, Hartgen, Harwood, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Raybould, Roberts, Shepherd(08), Shirley, Simpson, Smith(24), Thayne, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 29.

Absent and excused – Jarvis, Schaefer. Total – 2.

Paired Votes:

AYE – Shepherd(02)	NAY – Simpson
AYE – Chavez	NAY – Lake
AYE – Trail	NAY – Loertscher
AYE – Anderson	NAY – Nonini
AYE – Bolz	NAY – McGeachin

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1186** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1145 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall **S 1145** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – None.

Absent and excused – Anderson, Black, Durst, Henderson, Jarvis, Lake, Loertscher, McGeachin, Nonini, Schaefer, Shepherd(02), Simpson, Trail. Total – 13.

Total – 70.

Whereupon the Speaker declared that **S 1145** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1141, as amended, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) and Mr. Hagedorn to open debate.

The question being, "Shall **S 1141**, as amended, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Kren, Labrador, Lake, Luker, McGeachin, Moyle, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Wills, Wood(27), Mr. Speaker. Total – 49.

NAYS – Andrus, Barrett, Clark, Crane, Hart, Harwood, Loertscher, Marriott, Mathews, Nielsen, Roberts, Shepherd(08), Thayne, Thompson, Wood(35). Total – 15.

Absent and excused – Jarvis, Nonini, Schaefer, Shepherd(02), Simpson, Trail. Total – 6.

Paired Votes:

AYE – Black	NAY – Loertscher
AYE – Lake	NAY – Harwood
AYE – McGeachin	NAY – Shepherd(08)
AYE – Anderson	NAY – Clark

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1141**, as amended, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, April 13, 2009. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 300** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 300** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Labrador, Luker, Marriott, Mathews, Moyle, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti,

Rusche, Saylor, Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Boyle, Jarvis, Kren, Lake, Loertscher, McGeachin, Nielsen, Nonini, Pence, Schaefer, Shepherd(02), Simpson, Trail. Total – 15.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 300** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 300** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Killen, King, Labrador, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 52.

NAYS – Durst, Hagedorn, Harwood, Higgins. Total – 4.

Absent and excused – Anderson, Black, Boyle, Jarvis, Kren, Lake, Loertscher, McGeachin, Nonini, Pence, Schaefer, Shepherd(02), Simpson, Trail. Total – 14.

Total – 70.

Whereupon the Speaker declared that **H 300** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 301** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 301** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Labrador, Luker, Marriott, Mathews, Moyle, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Boyle, Jarvis, Kren, Lake, Loertscher, McGeachin, Nielsen, Nonini, Pence, Schaefer, Shepherd(02), Simpson, Trail. Total – 15.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 301** was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 301** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Saylor, Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Mr. Speaker. Total – 52.

NAYS – Durst, Hagedorn, Harwood, Higgins. Total – 4.

Absent and excused – Anderson, Bedke, Black, Jarvis, Lake, Loertscher, McGeachin, Nonini, Rusche, Schaefer, Shepherd(02), Simpson, Trail, Wood(35). Total – 14.

Total – 70.

Whereupon the Speaker declared that **H 301** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 302** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 302** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Labrador, Luker, Marriott, Mathews, Moyle, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Boyle, Jarvis, Kren, Lake, Loertscher, McGeachin, Nielsen, Nonini, Pence, Schaefer, Shepherd(02), Simpson, Trail. Total – 15.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 302** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 302** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Killen, King, Kren, Labrador,

Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Durst, Hagedorn, Harwood, Higgins, Luker. Total – 5.

Absent and excused – Anderson, Black, Jarvis, Lake, Loertscher, McGeachin, Nonini, Schaefer, Shepherd(02), Simpson, Trail. Total – 11.

Total – 70.

Whereupon the Speaker declared that **H 302** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Monday, April 13, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:30 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**NINETY-SECOND LEGISLATIVE DAY
MONDAY, APRIL 13, 2009**

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Taleesha Willie, Page.

Approval of Journal

April 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-ninth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

April 10, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1096, S 1129, S 1151, S 1170, S 1171, S 1172, S 1173, S 1174, and SJR 101** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1096, S 1129, S 1151, S 1170, S 1171, S 1172, S 1173, S 1174, and SJR 101** and, when so signed, ordered them returned to the Senate.

April 10, 2009

Mr. Speaker:

I return herewith enrolled **HJM 4, HCR 23, H 255, H 170, and H 220** which have been signed by the President.

WOOD, Secretary

Enrolled **HJM 4** and **HCR 23** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 255, H 170, and H 220** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 10, 2009

Mr. Speaker:

I transmit herewith **S 1192, S 1193, S 1194, S 1195, S 1197, and S 1198** which have passed the Senate.

WOOD, Secretary

S 1192, S 1193, S 1194, S 1195, S 1197, and S 1198 were filed for first reading.

Report of Standing Committees

April 10, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 306** and recommend that it do pass.

BLOCK, Chairman

H 306 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 311 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CERTAIN TRANSFERS BEING CONTINUOUSLY APPROPRIATED; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR AIRPORT DEVELOPMENT GRANTS; AUTHORIZING THE TRANSFER OF HIGHWAY FUNDS TO THE TOURISM AND PROMOTION FUND; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES OF TITLE XII AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDS; PROVIDING LEGISLATIVE INTENT FOR PERSONNEL COSTS; DIRECTING A SALARY REDUCTION; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 312 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO THE LONGITUDINAL DATA SYSTEM; PROVIDING LEGISLATIVE INTENT FOR PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

H 311 and **H 312** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1192, S 1193, S 1194, S 1195, S 1197, and S 1198, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 308, H 309, and H 310, by Appropriations Committee, were read the second time by title and filed for third reading.

H 303, by Ways and Means Committee, was read the second time by title and filed for third reading.

S 1148, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1176, S 1177, S 1178, S 1179, S 1180, S 1181, S 1187, S 1188, S 1189, S 1190, and S 1191, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 232**, as amended in the Senate, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 299 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 299**. There being no objection it was so ordered.

The question being, "Shall **H 299** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Killen, King, Kren, Lake, Luker, Marriott, Mathews, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Barrett, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Jarvis, Labrador, Loertscher, McGeachin, Moyle, Nielsen, Palmer, Simpson, Smith(24). Total – 16.

Total – 70.

Whereupon the Speaker declared that **H 299** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 287 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

Pursuant to Rule 38(3), Mrs. Pasley-Stuart disclosed a conflict of interest regarding **H 287**.

The question being, "Shall **H 287** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins,

Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Kren, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 50.

NAYS – Boe, Burgoyne, Chavez, Chew, Clark, Cronin, Durst, Jaquet, Killen, King, Labrador, Luker, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Smith(30). Total – 19.

Absent and excused – Schaefer. Total – 1.

Paired Votes:

AYE – Crane

NAY – Labrador

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 287** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 194, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall **H 194**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Chavez, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Labrador, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Burgoyne, Chew, Higgins, Killen, King, Lake, Marriott, Ringo, Smith(24). Total – 9.

Absent and excused – Boe, Crane, Kren, Schaefer. Total – 4.

Total – 70.

Whereupon the Speaker declared **H 194**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

S 1054 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **S 1054** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn,

Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 69.

NAYS – None.

Absent and excused – Crane. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1054** passed the House. Title was approved and the bill ordered returned to the Senate.

SJM 102 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **SJM 102** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 49.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Smith(30), Trail.
Total – 19.

Absent and excused – Crane, Luker. Total – 2.

Total – 70.

Whereupon the Speaker declared **SJM 102** adopted and ordered the memorial returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bill on the Third Reading Calendar retain its place for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Tuesday, April 14, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 10:52 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**NINETY-THIRD LEGISLATIVE DAY
TUESDAY, APRIL 14, 2009**

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Stevenson. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Anna Richter, Page.

Approval of Journal

April 14, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

April 13, 2009

Mr. Speaker:

I transmit herewith enrolled **SCR 103, SCR 104, SCR 105, SCR 106, SCR 107, SCR 108, SCR 109, SCR 110, and SJM 101** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **SCR 103, SCR 104, SCR 105, SCR 106, SCR 107, SCR 108, SCR 109, SCR 110, and SJM 101** and, when so signed, ordered them returned to the Senate.

April 13, 2009

Mr. Speaker:

I return herewith enrolled **H 230, H 242, H 161**, as amended, **H 97**, as amended, **H 241**, and **H 252** which have been signed by the President.

WOOD, Secretary

Enrolled **H 230, H 242, H 161**, as amended, **H 97**, as amended, **H 241**, and **H 252** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 13, 2009

Mr. Speaker:

I transmit herewith **S 1199, S 1200, S 1201, S 1202**, and **S 1203** which have passed the Senate.

WOOD, Secretary

S 1199, S 1200, S 1201, S 1202, and **S 1203** were filed for first reading.

April 13, 2009

Mr. Speaker:

I transmit herewith **SCR 112, S 1205**, and **S 1206** which have passed the Senate.

WOOD, Secretary

SCR 112, S 1205, and **S 1206** were filed for first reading.

April 13, 2009

Mr. Speaker:

I return herewith **H 146**, as amended, **H 261, H 229, H 245, H 251, H 244**, as amended, **H 253, H 260, H 265, H 240**, as amended, **H 264**, and **H 266** which have passed the Senate.

WOOD, Secretary

H 146, as amended, **H 261, H 229, H 245, H 251, H 244**, as amended, **H 253, H 260, H 265, H 240**, as amended, **H 264**, and **H 266** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 13, 2009

Mr. Speaker:

I return herewith **HCR 25, H 281**, and **H 269** which have passed the Senate.

WOOD, Secretary

HCR 25, H 281, and **H 269** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 14, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 311** and **H 312**.

CLARK, Chairman

H 311 and **H 312** were filed for second reading.

April 14, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 194**, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 194**, as amended in the Senate, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

April 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 4** and **HCR 23** to the Secretary of State at 11:26 a.m., as of this date, April 13, 2009.

CLARK, Chairman

April 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 255**, **H 170**, and **H 220** to the Governor at 11:30 a.m., as of this date, April 13, 2009.

CLARK, Chairman

April 13, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1167**, **S 1169**, **S 1185**, and **S 1175**, as amended, and recommend that they do pass.

STEVENSON, Chairman

S 1167, **S 1169**, **S 1185**, and **S 1175**, as amended, were filed for second reading.

April 14, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1165** and recommend that it do pass.

NONINI, Chairman

S 1165 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 112, by Finance Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 306** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 306** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Black, Ruchti, Stevenson. Total – 3.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 306** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) and Ms. Chew to open debate.

Pursuant to Rule 38(3), Mr. Wood(27) disclosed a conflict of interest regarding **H 306**.

Pursuant to Rule 38(3), Mr. Bilbao disclosed a conflict of interest regarding **H 306**.

The question being, "Shall **H 306** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Ruchti, Stevenson. Total – 2.

Total – 70.

Whereupon the Speaker declared that **H 306** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 313 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; REAPPROPRIATING FUNDING FOR THE COOPERATIVE WELFARE FUND; DIRECTING APPROPRIATIONS FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES FUND FOR HEAD START SERVICES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2009; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; DIRECTING THE DEPARTMENT OF HEALTH AND WELFARE REGARDING EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 314 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDEPENDENT COUNCILS FOR FISCAL YEAR 2010; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE

TRANSFERS FROM THE GENERAL FUND; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE INDEPENDENT COUNCILS; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

H 313 and **H 314** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1199, S 1200, S 1201, S 1202, S 1203, S 1205, and S 1206, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1192, S 1193, S 1194, S 1195, S 1197, and S 1198, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **S 1152** and **S 1148** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

H 232, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **H 232**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Crane, Moyle, Ruchti, Stevenson. Total – 4.

Total – 70.

Whereupon the Speaker declared **H 232**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 308 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 308** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Moyle, Ruchti, Stevenson. Total – 3. Total – 70.

Whereupon the Speaker declared that **H 308** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 309 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 309** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Clark, Durst, Hagedorn, Hart, Harwood, Higgins. Total – 6.

Absent and excused – Moyle, Ruchti, Stevenson. Total – 3. Total – 70.

Whereupon the Speaker declared that **H 309** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 310 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 310** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Moyle, Stevenson. Total – 2.
Total – 70.

Whereupon the Speaker declared that **H 310** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 303 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs and Mr. Thayne to open debate.

Mr. Nonini asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 303**. There being no objection it was so ordered.

The question being, "Shall **H 303** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Smith(30), Smith(24), Trail. Total – 19.

Paired Votes:

AYE – Stevenson NAY – Chavez
(Pairs enumerated in roll call above.)
Total – 70.

Whereupon the Speaker declared that **H 303** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1176 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **S 1176** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Boe, Smith(24), Stevenson, Thayne. Total – 4.
Total – 70.

Whereupon the Speaker declared that **S 1176** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1177 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1177** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, McGeachin, Moyle, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills. Total – 53.

NAYS – Barrett, Boyle, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Loertscher, Mathews, Nielsen, Nonini, Palmer, Schaefer, Wood(35), Mr. Speaker. Total – 16.

Absent and excused – Wood(27). Total – 1.

Paired Votes:

AYE – Stevenson NAY – Wood(35)
(Pairs enumerated in roll call above.)
Total – 70.

Whereupon the Speaker declared that **S 1177** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1178 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1178** pass?"

Roll call resulted as follows:

AYES – Anderson, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Luker, Marriott, McGeachin, Moyle, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayne, Thompson, Trail, Wills, Wood(35). Total – 55.

NAYS – Andrus, Boyle, Durst, Hagedorn, Harwood, Higgins, Kren, Loertscher, Mathews, Nielsen, Palmer, Schaefer, Mr. Speaker. Total – 13.

Absent and excused – Stevenson, Wood(27). Total – 2.
Total – 70.

Whereupon the Speaker declared that **S 1178** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1179 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1179** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Mr. Speaker. Total – 55.

NAYS – Barrett, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Loertscher, Palmer, Schaefer. Total – 10.

Absent and excused – Henderson, Rusche, Stevenson, Wood(27), Wood(35). Total – 5.

Total – 70.

Whereupon the Speaker declared that **S 1179** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1180 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

At this time, Mr. Clark took the Chair.

The question being, "Shall **S 1180** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 66.

NAYS – Schaefer. Total – 1.

Absent and excused – Kren, Stevenson, Mr. Speaker. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1180** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1181 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall **S 1181** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 59.

NAYS – Burgoyne, Cronin, Durst, Hagedorn, Harwood, Higgins, Pasley-Stuart. Total – 7.

Absent and excused – Roberts, Schaefer, Stevenson, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1181** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1187 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **S 1187** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 59.

NAYS – Chavez, Durst, Harwood, Higgins, Pasley-Stuart, Schaefer, Smith(30). Total – 7.

Absent and excused – Hagedorn, Roberts, Stevenson, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1187** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1188 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1188** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 61.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Boyle, Roberts, Stevenson, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1188** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1189 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1189** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27). Total – 60.

NAYS – Barrett, Durst, Hagedorn, Higgins, Schaefer, Wood(35). Total – 6.

Absent and excused – Boyle, Roberts, Stevenson, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1189** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1190 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1190** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27). Total – 55.

NAYS – Barrett, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Lake, Loertscher, Palmer, Schaefer, Wood(35). Total – 12.

Absent and excused – Roberts, Stevenson, Mr. Speaker. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1190** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1191 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1191** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 63.

NAYS – Durst, Hagedorn, Harwood, Higgins. Total – 4.

Absent and excused – Roberts, Stevenson, Mr. Speaker. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1191** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Wednesday, April 15, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 11:30 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**NINETY-FOURTH LEGISLATIVE DAY
WEDNESDAY, APRIL 15, 2009**

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Durst. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

April 15, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

OFFICE OF THE GOVERNOR
Boise

April 14, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 43, H 141, as amended in the Senate, **H 173**, and **H 255**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 14, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 250

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 14, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1110**, as amended in the House, **S 1121**, as amended in the House, **S 1141**, as amended, as amended, **S 1145**, **S 1186**, **S 1054**, and **SJM 102** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1110**, as amended in the House, **S 1121**, as amended in the House, **S 1141**, as amended, as amended, **S 1145**, **S 1186**, **S 1054**, and **SJM 102** and, when so signed, ordered them returned to the Senate.

April 14, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1086**, as amended in the House, and **S 1088**, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1086**, as amended in the House, and **S 1088**, as amended in the House, and, when so signed, ordered them returned to the Senate.

April 14, 2009

Mr. Speaker:

I return herewith enrolled **H 194**, as amended in the Senate, which has been signed by the President.

WOOD, Secretary

Enrolled **H 194**, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 14, 2009

Mr. Speaker:

I transmit herewith **S 1184** and **S 1207** which have passed the Senate.

WOOD, Secretary

S 1184 and **S 1207** were filed for first reading.

April 14, 2009

Mr. Speaker:

I transmit herewith **S 1208**, **S 1209**, **S 1210**, **S 1211**, **S 1212**, **S 1216**, **S 1214**, and **S 1222** which have passed the Senate.

WOOD, Secretary

S 1208, **S 1209**, **S 1210**, **S 1211**, **S 1212**, **S 1216**, **S 1214**, and **S 1222** were filed for first reading.

April 14, 2009

Mr. Speaker:

I return herewith **H 231** and **H 248** which have passed the Senate.

WOOD, Secretary

H 231 and **H 248** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 15, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 313** and **H 314**.

CLARK, Chairman

H 313 and **H 314** were filed for second reading.

April 15, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 146**, as amended, **H 261**, **H 229**, **H 245**, **H 251**, **H 244**, as amended, **H 253**, **H 260**, **H 265**, **H 240**, as amended, **H 264**, **H 266**, **HCR 25**, **H 281**, **H 269**, and **H 232**, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 146**, as amended, **H 261**, **H 229**, **H 245**, **H 251**, **H 244**, as amended, **H 253**, **H 260**, **H 265**, **H 240**, as amended, **H 264**, **H 266**, **HCR 25**, **H 281**, **H 269**, and **H 232**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 14, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 230**, **H 242**, **H 161**, as amended, **H 97**, as amended, **H 241**, and **H 252** to the Governor at 12 noon, as of this date, April 14, 2009.

CLARK, Chairman

April 14, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1133** and report it back without recommendation.

LOERTSCHER, Chairman

S 1133 was filed for second reading.

April 14, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **SCR 111** and recommend that it do pass.

LOERTSCHER, Chairman

SCR 111 was filed for second reading.

April 14, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 286** and recommend that it do pass.

WOOD, Chairman

H 286 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 315 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS FOR THE DEPARTMENT OF HEALTH AND WELFARE FOR SUBSTANCE ABUSE SERVICES IN THE SUBSTANCE ABUSE TREATMENT AND PREVENTION PROGRAM FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING EXPENDITURES FOR RADAR FUNDING; DIRECTING EXPENDITURES FOR GAIN PROVIDER TRAINING; DIRECTING EXPENDITURES FOR STATEWIDE MEDIA CAMPAIGN FOR UNDERAGE DRINKING; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 316 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND FOR SENATE BILL NO. 1199; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2009; DIRECTING THE MANAGEMENT OF VEHICLES; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 317 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE SERVICE INTEGRATION PROGRAM FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT ON PERSONNEL

COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 318
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICES FOR THE DEVELOPMENTALLY DISABLED FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE IDAHO STATE SCHOOL AND HOSPITAL FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE IDAHO STATE SCHOOL AND HOSPITAL FOR FISCAL YEAR 2009; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT THE FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; REQUIRING IDAHO STATE SCHOOL AND HOSPITAL TO COMPLETE A CLIENT TRANSITION REVIEW AND REPORT TO THE LEGISLATURE; PROVIDING LEGISLATIVE INTENT FOR THE INFANT AND TODDLER DATABASE SYSTEM; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 319
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD WELFARE DIVISION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT FOR EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 320
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS;

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2009; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 321
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE CHILDREN'S MENTAL HEALTH PROGRAM AND THE ADULT MENTAL HEALTH PROGRAM; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILDREN'S MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILDREN'S MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2009; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE DRUG COURT, MENTAL HEALTH COURT AND FAMILY COURT SERVICES FUND; DIRECTING AN INTERAGENCY PAYMENT FOR A JUVENILE DETENTION CLINICIANS CONTRACT; LIMITING THE TRANSFER OF TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT WITH REGARD TO CHILDREN'S MENTAL HEALTH CONTRACT TREATMENT SERVICES; DIRECTING A REPORT RELATING TO CHILDREN'S MENTAL HEALTH DAY TREATMENT SERVICES; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; DIRECTING THE USE OF CERTAIN MONEYS IN THE MENTAL HEALTH GRANT PROGRAM; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 322
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING

EXPENDITURES; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; AUTHORIZING A TRANSFER OF CERTAIN MONEYS APPROPRIATED FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR COST CONTAINMENT MEASURES; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

H 315, H 316, H 317, H 318, H 319, H 320, H 321, and H 322 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1184, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1214, by State Affairs Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1207, S 1208, S 1209, S 1210, S 1211, S 1212, S 1216, and S 1222, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 311 and H 312, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1167, S 1169, S 1185, S 1175, as amended, and **S 1165**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1199, S 1200, S 1201, S 1202, S 1203, S 1205, and S 1206, by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1222** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1222** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Durst, Labrador, Nonini. Total – 3.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1222** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1222** pass?"

Roll call resulted as follows:

AYES – Boe, Burgoyne, Chavez, Chew, Cronin, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Smith(30), Trail. Total – 18.

NAYS – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

Absent and excused – Durst. Total – 1.

Total – 70.

Whereupon the Speaker declared that **S 1222** failed to pass the House and ordered the bill returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **S 1152** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

S 1148 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

Pursuant to Rule 38(3), Mr. Burgoyne disclosed a conflict of interest regarding **S 1148**.

Pursuant to Rule 38(3), Mr. Bilbao disclosed a conflict of interest regarding **S 1148**.

Mr. Nielsen asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1148**. There being no objection it was so ordered.

The question being, "Shall **S 1148** pass?"

Roll call resulted as follows:

AYES – Anderson, Bell, Black, Bolz, Boyle, Chavez, Clark, Cronin, Durst, Gibbs, Hagedorn, Higgins, Jaquet, Killen, King, Kren, Lake, Pasley-Stuart, Pence, Ringo, Roberts, Rusche, Sayler, Smith(24), Stevenson, Takasugi, Wills, Mr. Speaker. Total – 28.

NAYS – Andrus, Barrett, Bayer, Bedke, Bilbao, Block, Boe, Burgoyne, Chadderdon, Chew, Collins, Crane, Eskridge, Hart, Hartgen, Harwood, Henderson, Jarvis, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Ruchti, Schaefer, Shepherd(02),

Shepherd(08), Shirley, Simpson, Smith(30), Thayn, Thompson, Trail, Wood(27), Wood(35). Total – 42.

Paired Votes:

AYE – Durst NAY – Shepherd(02)

AYE – Takasugi NAY – Palmer

AYE – Black NAY – Barrett

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1148** failed to pass the House and ordered the bill returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Thursday, April 16, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:59 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**NINETY-FIFTH LEGISLATIVE DAY
THURSDAY, APRIL 16, 2009**

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent and excused – Black, Wills. Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

April 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 15, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 252

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 14, 2009

Mr. Speaker:

I transmit herewith enrolled S 1176, S 1177, S 1178, S 1179, S 1180, S 1181, S 1187, S 1188, S 1189, S 1190, and S 1191 for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled S 1176, S 1177, S 1178, S 1179, S 1180, S 1181, S 1187, S 1188, S 1189, S 1190, and S 1191 and, when so signed, ordered them returned to the Senate.

April 15, 2009

Mr. Speaker:

I transmit herewith S 1217, S 1218, S 1219, S 1220, and S 1221 which have passed the Senate.

WOOD, Secretary

S 1217, S 1218, S 1219, S 1220, and S 1221 were filed for first reading.

April 15, 2009

Mr. Speaker:

I return herewith H 24 which has passed the Senate.

WOOD, Secretary

H 24 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed H 315, H 316, H 317, H 318, H 319, H 320, H 321, and H 322.

CLARK, Chairman

H 315, H 316, H 317, H 318, H 319, H 320, H 321, and H 322 were filed for second reading.

April 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled H 231 and H 248.

CLARK, Chairman

The Speaker announced he was about to sign enrolled H 231 and H 248 and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 15, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled H 194, as amended in the Senate, to the Governor at 11:45 a.m., as of this date, April 15, 2009.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 323 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2010; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2010; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME

FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2010; EXPRESSING LEGISLATIVE INTENT THAT CERTAIN STATE FUNDED BENEFITS BE PAID; AND AMENDING SECTION 33-1004E, IDAHO CODE, TO DECREASE BASE SALARIES FOR ADMINISTRATIVE STAFF.

HOUSE BILL NO. 324
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS FOR FISCAL YEAR 2010; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2010; PROVIDING MONEYS FOR THE UNEMPLOYMENT INSURANCE PROGRAM; DIRECTING THAT AN AMOUNT BE DISTRIBUTED FOR MASTER TEACHER AWARD PAYMENTS; DIRECTING THE DISTRIBUTION OF \$1,000,000 BETWEEN TRAINING TO SERVE THE NEEDS OF GIFTED AND TALENTED STUDENTS AND TRAINING TEACHERS TO PROVIDE ADDITIONAL ADVANCED LEARNING OPPORTUNITIES FOR STUDENTS; DIRECTING THAT \$300 BE DISTRIBUTED TO EACH QUALIFIED TEACHER FOR CLASSROOM SUPPLIES; AND AMENDING SECTION 33-1004E, IDAHO CODE, TO PROVIDE FOR A BASE SALARY DECREASE FOR INSTRUCTIONAL STAFF, TO REVISE INSTRUCTIONAL SALARY ALLOCATION INCREASES AND TO DECREASE THE MINIMUM INSTRUCTIONAL STAFF SALARY.

HOUSE BILL NO. 325
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF OPERATIONS; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF OPERATIONS FOR FISCAL YEAR 2010; APPROPRIATING MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2010; DIRECTING THAT \$9,150,000 BE EXPENDED FOR TECHNOLOGY PROGRAMS; DIRECTING THAT \$1,508,500 BE DISTRIBUTED FOR THE REPLACEMENT OF CERTAIN LEVY FUNDS; DIRECTING THAT SPECIFIC DOLLAR AMOUNTS BE DISTRIBUTED BASED ON AVERAGE DAILY ATTENDANCE FOR SOFTWARE AND TEXTBOOK MATERIAL PURCHASES; PROVIDING THAT FUNDS FROM THE SCHOOL DISTRICT BUILDING ACCOUNT BE USED AS DISCRETIONARY FUNDS; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS PER SUPPORT UNIT; AND AMENDING SECTION 33-1004E, IDAHO CODE, TO PROVIDE FOR A DECREASE IN THE BASE SALARY OF CLASSIFIED STAFF.

HOUSE BILL NO. 326
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF CHILDREN'S

PROGRAMS; PROVIDING A DESCRIPTION OF THE PUBLIC SCHOOLS DIVISION OF CHILDREN'S PROGRAMS AND PROVIDING THE AMOUNTS TO BE EXPENDED; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING MONEYS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2010; DIRECTING THAT \$7,000,000 OF THE MONEYS ACCRUING PURSUANT TO SECTIONS 63-2506 AND 63-2552A, IDAHO CODE, AND SUCH OTHER MONEYS WHICH MAY BECOME AVAILABLE PURSUANT TO SECTION 63-7439, IDAHO CODE, BE EXPENDED FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THE DISTRIBUTION OF FUNDS FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO FEATURES OF THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THAT \$2,800,000 BE USED FOR THE LITERACY PROGRAMS AND EXPRESSING LEGISLATIVE INTENT THAT THE STATE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION COORDINATE CERTAIN PROGRAMS; DIRECTING THAT \$3,972,500 BE ALLOCATED TO IMPLEMENT A MATH EDUCATION PROGRAM; DIRECTING THAT \$6,040,000 BE ALLOCATED FOR PROGRAMS FOR STUDENTS WITH NON-ENGLISH OR LIMITED-ENGLISH PROFICIENCY; DIRECTING THAT \$5,000,000 BE DISTRIBUTED TO PROVIDE REMEDIAL IDAHO STANDARDS ACHIEVEMENT TEST EDUCATION AND COMPUTERIZED REMEDIATION SERVICES FOR CERTAIN STUDENTS AND REQUIRING A LOCAL EXPENDITURE MATCH; DIRECTING THE IDAHO DIGITAL LEARNING ACADEMY TO UTILIZE STATE FUNDS TO ACHIEVE CERTAIN GOALS; GRANTING AUTHORITY TO TRANSFER FUNDS BETWEEN THE FIVE DIVISIONS OF THE EDUCATIONAL SUPPORT PROGRAM BUDGET; DIRECTING THAT MONEYS DISTRIBUTED FOR PROGRAMS PURSUANT TO SECTIONS 33-1002 AND 33-2006, IDAHO CODE, BE LIMITED WITH PROVISIONS FOR A WAIVER; AND DIRECTING THAT A REVIEW OF PERFORMANCE OUTCOMES FOR THE SAFE AND DRUG-FREE SCHOOLS PROGRAM IS OF MERIT AND THAT SUCH INFORMATION BE EVALUATED BY THE JOINT FINANCE-APPROPRIATIONS COMMITTEE AND GERMANE COMMITTEES.

HOUSE BILL NO. 327
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF FACILITIES; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2010; TRANSFERRING AND APPROPRIATING CERTAIN FUNDS TO THE BOND LEVY EQUALIZATION FUND; AND RELIEVING THE STATE OF THE REQUIREMENT TO PROVIDE SCHOOL MAINTENANCE MATCHING FUNDS.

H 323, H 324, H 325, H 326, and H 327 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1217, S 1218, S 1219, S 1220, and S 1221, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 313 and **H 314**, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1133 and **SCR 111**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 286, by Ways and Means Committee, was read the second time by title and filed for third reading.

S 1207, S 1208, S 1209, S 1210, S 1211, S 1212, and **S 1216**, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **S 1152** be placed at the bottom of the Third Reading Calendar until Friday, April 24, 2009. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **S 1175**, as amended, be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

H 311 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **H 311** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Luker, Mathews, McGeachin, Moyle, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 52.

NAYS – Barrett, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Loertscher, Marriott, Nielsen, Nonini, Palmer, Schaefer, Smith(24). Total – 14.

Absent and excused – Black, Kren, Lake, Wills. Total – 4.
Total – 70.

Whereupon the Speaker declared that **H 311** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 312 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 312** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler,

Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Burgoyne, Durst, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Hagedorn, Kren, Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 312** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1192 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1192** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer, Shepherd(08). Total – 6.

Absent and excused – Black, Kren, Wills. Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1192** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1193 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1193** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Barrett, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Schaefer. Total – 8.

Absent and excused – Black, Kren, Wills. Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1193** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1194 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1194** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jarvis, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Patrick, Pence, Raybould, Roberts, Ruchti, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Wood(27), Mr. Speaker. Total – 42.

NAYS – Barrett, Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Hagedorn, Harwood, Higgins, Jaquet, Killen, King, Loertscher, Palmer, Pasley-Stuart, Ringo, Rusche, Sayler, Schaefer, Shepherd(08), Thayn, Trail, Wood(35). Total – 24.

Absent and excused – Bedke, Black, Kren, Wills. Total – 4.
Total – 70.

Whereupon the Speaker declared that **S 1194** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1195 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1195** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Kren, Wills. Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1195** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1197 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1197** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Palmer, Schaefer. Total – 8.

Absent and excused – Black, Kren, Raybould, Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1197** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1198 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1198** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Schaefer. Total – 7.

Absent and excused – Black, Kren, Wills. Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1198** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1167 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall **S 1167** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Black, Kren, Wills. Total – 3.
Total – 70.

Whereupon the Speaker declared that **S 1167** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1169 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **S 1169** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Black, Kren, Labrador, Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1169** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1185 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **S 1185** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Black, Kren, Wills. Total – 3.

Total – 70.

Whereupon the Speaker declared that **S 1185** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1165 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

Mr. Durst asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1165**. There being no objection it was so ordered.

The question being, "Shall **S 1165** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Jaquet, Jarvis, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24),

Stevenson, Takasugi, Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 53.

NAYS – Burgoyne, Chavez, Chew, Durst, Higgins, Killen, Pasley-Stuart, Pence, Ringo, Rusche, Sayler, Smith(30), Trail. Total – 13.

Absent and excused – Black, Henderson, Moyle, Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1165** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1199 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **S 1199** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Loertscher, Nielsen. Total – 2.

Absent and excused – Black, Chavez, McGeachin, Moyle, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that **S 1199** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1200 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1200** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Clark, Trail. Total – 2.

Absent and excused – Black, Moyle, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1200** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1201 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

At this time, Mr. Moyle took the Chair.

The question being, "Shall **S 1201** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Smith(30), Stevenson, Takasugi, Trail, Wood(27). Total – 51.

NAYS – Durst, Hagedorn, Harwood, Higgins, Lake, Loertscher, Marriott, Mathews, Nielsen, Schaefer, Simpson, Thayn, Thompson, Wood(35). Total – 14.

Absent and excused – Bayer, Black, Smith(24), Wills, Mr. Speaker. Total – 5.
Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1201** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1202 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

Mrs. Ringo asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1202**. There being no objection it was so ordered.

The question being, "Shall **S 1202** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Trail, Wood(27), Wood(35). Total – 57.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins, Loertscher, Palmer, Schaefer, Thayn. Total – 9.

Absent and excused – Black, Smith(24), Wills, Mr. Speaker. Total – 4.
Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1202** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1203 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1203** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wood(27), Wood(35). Total – 57.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins, Palmer, Schaefer, Thayn. Total – 8.

Absent and excused – Black, Lake, Roberts, Wills, Mr. Speaker. Total – 5.
Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1203** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1205 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1205** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35). Total – 60.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Black, Lake, Wills, Mr. Speaker. Total – 4.
Total – 70.

Whereupon the Speaker Pro Tem declared that **S 1205** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1206 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1206** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 62.

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

NINETY-SIXTH LEGISLATIVE DAY
FRIDAY, APRIL 17, 2009

House of Representatives

The House convened at 9:30 a.m., Mr. Moyle in the Chair.

Roll call showed 66 members present.

Absent and excused – Black, Takasugi, Wills, Mr. Speaker.

Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

April 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-fifth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

April 16, 2009

Mr. Speaker:

I return herewith enrolled **H 146**, as amended, **H 261**, **H 229**, **H 245**, **H 251**, **H 244**, as amended, **H 253**, **H 260**, **H 265**, **H 240**, as amended, **H 264**, **H 266**, **HCR 25**, **H 281**, **H 269**, and **H 232**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 146**, as amended, **H 261**, **H 229**, **H 245**, **H 251**, **H 244**, as amended, **H 253**, **H 260**, **H 265**, **H 240**, as amended, **H 264**, **H 266**, **H 281**, **H 269**, and **H 232**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 25** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

April 16, 2009

Mr. Speaker:

I transmit herewith **S 1204** and **S 1215** which have passed the Senate.

WOOD, Secretary

S 1204 and **S 1215** were filed for first reading.

April 16, 2009

Mr. Speaker:

I transmit herewith **S 1166**, as amended, and **S 1182**, as amended, which have passed the Senate.

WOOD, Secretary

S 1166, as amended, and **S 1182**, as amended, were filed for first reading.

April 16, 2009

Mr. Speaker:

I return herewith **H 276**, **H 268**, **H 272**, **H 273**, **H 274**, **H 277**, **H 280**, **H 282**, **H 283**, **H 284**, **H 290**, **H 291**, **H 292**, **H 293**, **H 294**, **H 295**, **H 296**, **H 297**, **H 298**, and **H 300** which have passed the Senate.

WOOD, Secretary

H 276, **H 268**, **H 272**, **H 273**, **H 274**, **H 277**, **H 280**, **H 282**, **H 283**, **H 284**, **H 290**, **H 291**, **H 292**, **H 293**, **H 294**, **H 295**, **H 296**, **H 297**, **H 298**, and **H 300** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 323**, **H 324**, **H 325**, **H 326**, and **H 327**.

CLARK, Chairman

H 323, **H 324**, **H 325**, **H 326**, and **H 327** were filed for second reading.

April 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 24**.

CLARK, Chairman

The Speaker Pro Tem announced the Speaker was about to sign enrolled **H 24** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

April 16, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1184** and recommend that it do pass.

LOERTSCHER, Chairman

S 1184 was filed for second reading.

April 16, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **SCR 112** and recommend that it do pass.

BLOCK, Chairman

SCR 112 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1204 and **S 1215**, by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

S 1166, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1182, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 315, H 316, H 317, H 318, H 319, H 320, H 321, and H 322, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1217, S 1218, S 1219, S 1220, and S 1221, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 313 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 313** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wood(27). Total – 52.

NAYS – Barrett, Burgoyne, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Loertscher, Nielsen, Nonini, Palmer, Schaefer. Total – 13.

Absent and excused – Black, Takasugi, Wills, Wood(35), Mr. Speaker. Total – 5.
Total – 70.

Whereupon the Speaker Pro Tem declared that **H 313** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 314 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 314** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 58.

NAYS – Barrett, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Schaefer. Total – 8.

Absent and excused – Black, Takasugi, Wills, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 314** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 286 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **H 286** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 60.

NAYS – Barrett, Boyle, Loertscher, Marriott, Palmer. Total – 5.

Absent and excused – Bell, Black, Takasugi, Wills, Mr. Speaker. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 286** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke asked unanimous consent that **SCR 111** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

SCR 111 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith(24) to open debate.

The question being, "Shall **SCR 111** be adopted?"

Whereupon the Speaker Pro Tem declared **SCR 111** adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, April 20, 2009. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 315** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 315** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Wood(27), Wood(35). Total – 64.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Takasugi, Wills, Mr. Speaker. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 315** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 315** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wood(27), Wood(35). Total – 56.

NAYS – Burgoyne, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Rusche, Schaefer, Smith(24). Total – 10.

Absent and excused – Black, Takasugi, Wills, Mr. Speaker. Total – 4.

Paired Votes:

AYE – Anderson NAY – Higgins

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 315** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 319** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 319** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott,

Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Wood(27), Wood(35). Total – 64.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Takasugi, Wills, Mr. Speaker. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 319** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 319** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Wood(27), Wood(35). Total – 53.

NAYS – Barrett, Boe, Burgoyne, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, King, Loertscher, Schaefer. Total – 12.

Absent and excused – Black, Kren, Takasugi, Wills, Mr. Speaker. Total – 5.

Paired Votes:

AYE – Anderson NAY – Higgins

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker Pro Tem declared that **H 319** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 320** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 320** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Wood(27), Wood(35). Total – 64.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Takasugi, Wills, Mr. Speaker. Total – 5.
Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 320** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 320** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 55.

NAYS – Barrett, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Loertscher, Nielsen, Schaefer. Total – 10.

Absent and excused – Black, Kren, Takasugi, Wills, Mr. Speaker. Total – 5.

Paired Votes:

AYE – Anderson NAY – Durst
(Pairs enumerated in roll call above.)
Total – 70.

Whereupon the Speaker Pro Tem declared that **H 320** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 322** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 322** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 64.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Takasugi, Wills, Mr. Speaker. Total – 5.
Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative,

the motion carried, the rules were suspended, and **H 322** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 322** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hartgen, Henderson, Jarvis, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Thayne, Thompson, Wood(27). Total – 40.

NAYS – Barrett, Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Hagedorn, Hart, Harwood, Higgins, Jaquet, Killen, King, Loertscher, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Schaefer, Smith(30), Smith(24), Trail. Total – 25.

Absent and excused – Black, Takasugi, Wills, Wood(35), Mr. Speaker. Total – 5.

Paired Votes:

AYE – Anderson NAY – Higgins
(Pairs enumerated in roll call above.)
Total – 70.

Whereupon the Speaker Pro Tem declared that **H 322** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 9:30 a.m., Monday, April 20, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 10:54 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

NINETY-NINTH LEGISLATIVE DAY
MONDAY, APRIL 20, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Black, Clark, Nielsen. Total – 3.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Anna Richter, Page.

Approval of Journal

April 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 17, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 170 and H 220

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 17, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1165, S 1167, S 1169, S 1175, as amended, S 1185, S 1192, S 1193, S 1194, S 1195, S 1197, S 1198, S 1199, S 1200, S 1201, S 1202, S 1203, S 1205, and S 1206** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1165, S 1167, S 1169, S 1175, as amended, S 1185, S 1192, S 1193, S 1194, S 1195, S 1197, S 1198, S 1199, S 1200, S 1201, S 1202, S 1203, S 1205, and S 1206** and, when so signed, ordered them returned to the Senate.

April 17, 2009

Mr. Speaker:

I return herewith enrolled **H 231 and H 248** which have been signed by the President.

WOOD, Secretary

Enrolled **H 231 and H 248** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 17, 2009

Mr. Speaker:

I return herewith **H 306** which has passed the Senate.

WOOD, Secretary

H 306 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 17, 2009

Mr. Speaker:

I return herewith **HCR 30** which has passed the Senate.

WOOD, Secretary

HCR 30 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 17, 2009

Mr. Speaker:

I return herewith **H 267**, as amended in the Senate, **H 258**, as amended in the Senate, **H 218**, as amended in the Senate, and **H 187**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 267, as amended in the Senate, **H 258**, as amended in the Senate, **H 218**, as amended in the Senate, and **H 187**, as amended in the Senate, were ordered held at the Desk.

Mrs. Wood(35) asked unanimous consent that the House concur in the Senate amendments to **H 267**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Gibbs asked unanimous consent that the House concur in the Senate amendments to **H 258**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Hart asked unanimous consent that the House concur in the Senate amendments to **H 218**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Patrick asked unanimous consent that the House concur in the Senate amendments to **H 187**, as amended in the Senate. There being no objection, it was so ordered.

H 267, as amended in the Senate, **H 258**, as amended in the Senate, **H 218**, as amended in the Senate, and **H 187**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

April 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 276, H 268, H 272, H 273, H 274, H 277, H 280, H 282, H 283, H 284,**

H 290, H 291, H 292, H 293, H 294, H 295, H 296, H 297, H 298, and H 300.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 276, H 268, H 272, H 273, H 274, H 277, H 280, H 282, H 283, H 284, H 290, H 291, H 292, H 293, H 294, H 295, H 296, H 297, H 298, and H 300** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 146**, as amended, **H 261, H 229, H 245, H 251, H 244**, as amended, **H 253, H 260, H 265, H 240**, as amended, **H 264, H 266, H 281, H 269, and H 232**, as amended in the Senate, to the Governor at 11:25 a.m., as of this date, April 17, 2009.

CLARK, Chairman

April 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 25** to the Secretary of State at 11:58 a.m., as of this date, April 17, 2009.

CLARK, Chairman

April 17, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1183** and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

S 1183 was placed on General Orders for consideration.

April 17, 2009

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1214** and recommend that it do pass.

SCHAEFER, Chairman

S 1214 was filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 323, H 324, H 325, H 326, and H 327, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1184, by State Affairs Committee, was read the second time by title and filed for third reading.

SCR 112, by Finance Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **S 1133** and **S 1216** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

H 316 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 316** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 56.

NAYS – Barrett, Boyle, Durst, Hagedorn, Harwood, Higgins, Loertscher, Schaefer. Total – 8.

Absent and excused – Black, Clark, Killen, Nielsen, Shirley, Wood(35). Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 316** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 317 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 317** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Black, Clark, Killen, Nielsen. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 317** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 318 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 318** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti,

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst, Harwood, Higgins, Schaefer. Total – 4.

Absent and excused – Black, Clark, Hagedorn, Killen, Nielsen, Smith(24). Total – 6.

Total – 70.

Whereupon the Speaker declared that **S 1210** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1211 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1211** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 57.

NAYS – Barrett, Boyle, Durst, Hagedorn, Harwood, Higgins, Schaefer, Wood(35). Total – 8.

Absent and excused – Black, Clark, Killen, Nielsen, Smith(24). Total – 5.

Total – 70.

Whereupon the Speaker declared that **S 1211** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1212 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1212** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hartgen, Henderson, Higgins, Jaquet, Jarvis, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Barrett, Hagedorn, Hart, Harwood. Total – 4.

Absent and excused – Black, Clark, Killen, Labrador, Nielsen, Nonini. Total – 6.

Total – 70.

Whereupon the Speaker declared that **S 1212** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1217 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1217** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Clark, Killen, Nielsen. Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1217** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1218 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1218** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Clark, Killen, Labrador, Nielsen. Total – 5.

Total – 70.

Whereupon the Speaker declared that **S 1218** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1219 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1219** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Boyle, Mathews, Palmer, Schaefer. Total – 4.

Absent and excused – Black, Clark, Killen, Nielsen.
Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1219** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1220 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1220** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Barrett, Boyle, Cronin, Durst, Hagedorn, Harwood, Higgins, King, Schaefer. Total – 9.

Absent and excused – Black, Clark, Killen, Nielsen.
Total – 4.

Total – 70.

Whereupon the Speaker declared that **S 1220** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Tuesday, April 21, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 10:45 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDREDTH LEGISLATIVE DAY
TUESDAY, APRIL 21, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Black, Clark. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

April 21, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-ninth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
Boise

April 17, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following House Bill, to wit:

H 161, as amended

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 12 noon on April 14, 2009.

It is unclear what issue this legislation is addressing. Moreover it is equally unclear how amending existing law to require an agency to report security breaches for personal information to both the Attorney General and Department of Administration will enhance or improve the process the state already employs.

The integrity of state information systems, especially how we protect personal information, is paramount to me. I would

encourage concerned legislators to work with the Department of Administration and other executive branch agencies over the next year to identify issues and potential solutions.

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

H 161, as amended, with the Governor's Veto Message attached, was ordered held at the Desk.

THE OFFICE OF THE GOVERNOR
Boise

April 20, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following House Bill, to wit:

H 245

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 11:25 a.m. on April 17, 2009.

House Bill 245 seeks to establish a Parents as Teachers Program under the Idaho Childrens Trust Fund. It would authorize the Childrens Trust Fund to pursue grants and other sources of funding to support the program. However, while proposed as a privately funded effort initially, this legislation runs the substantial risk of creating public expectations of new or expanded state government services.

Whats more, a similar effort already exists within the Family Advocate Program. The proposed new program would be competing with that existing effort for private donations, grants and gifts - potentially undermining and diluting the effectiveness of both efforts.

The original Parents as Teachers program initially was funded by a federal grant. However, there was a hue and cry from some of the programs well-intentioned advocates for Idaho taxpayers to pick up the tab once the federal money ran out. I am determined that we not repeat such an experience.

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

H 245, with the Governor's Veto Message attached, was ordered held at the Desk.

OFFICE OF THE GOVERNOR
Boise

April 20, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 242

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 20, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1207, S 1208, S 1209, S 1210, S 1211, S 1212, S 1217, S 1218, S 1219, S 1220**, and **SCR 111** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1207, S 1208, S 1209, S 1210, S 1211, S 1212, S 1217, S 1218, S 1219, S 1220**, and **SCR 111** and, when so signed, ordered them returned to the Senate.

April 20, 2009

Mr. Speaker:

I return herewith enrolled **H 24** which has been signed by the President.

WOOD, Secretary

Enrolled **H 24** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 20, 2009

Mr. Speaker:

I return herewith enrolled **H 268, H 272, H 273, H 274, H 276, H 277, H 280, H 282, H 283, H 284, H 290, H 291, H 292, H 293, H 294, H 295, H 296, H 297, H 298**, and **H 300** which have been signed by the President.

WOOD, Secretary

Enrolled **H 268, H 272, H 273, H 274, H 276, H 277, H 280, H 282, H 283, H 284, H 290, H 291, H 292, H 293, H 294, H 295, H 296, H 297, H 298**, and **H 300** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 20, 2009

Mr. Speaker:

I return herewith **H 178**, as amended, **H 312**, and **H 313** which have passed the Senate.

WOOD, Secretary

H 178, as amended, **H 312**, and **H 313** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 21, 2009

Mr. Speaker:

I return herewith **H 96**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 96, as amended in the Senate, was ordered held at the Desk.

Mr. Nonini asked unanimous consent that the House concur in the Senate amendments to **H 96**, as amended in the Senate. There being no objection, it was so ordered.

H 96, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

April 21, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 306** and **HCR 30**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 306** and **HCR 30** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 21, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 267**, as amended in the Senate, **H 258**, as amended in the Senate, **H 218**, as amended in the Senate, and **H 187**, as amended in the Senate.

CLARK, Chairman

H 267, as amended in the Senate, **H 258**, as amended in the Senate, **H 218**, as amended in the Senate, and **H 187**, as amended in the Senate, were filed for first reading of engrossed bills.

April 21, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 96**, as amended in the Senate.

CLARK, Chairman

H 96, as amended in the Senate, was filed for first reading of engrossed bills.

April 20, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 231** and **H 248** to the Governor at 11:35 a.m., as of this date, April 20, 2009.

CLARK, Chairman

April 21, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1204** and **S 1215** and recommend that they do pass.

LOERTSCHER, Chairman

S 1204 and **S 1215** were filed for second reading.

There being no objection, the House advanced to the Ninth Order of Business.

First Reading of Engrossed Bills

H 267, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

H 258, as amended in the Senate, and **H 218**, as amended in the Senate, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

H 187, as amended in the Senate, by Business Committee, was introduced, read the first time by title, and filed for second reading.

H 96, as amended in the Senate, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

S 1214, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **SCR 112** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

SCR 112 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

Mr. Wood(27) asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **SCR 112**. There being no objection it was so ordered.

The question being, "Shall **SCR 112** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Black, Clark, Durst. Total – 3.

Total – 70.

Whereupon the Speaker declared **SCR 112** adopted and ordered the resolution returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1221** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1221 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **S 1221** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Black, Clark. Total – 2.
Total – 70.

Whereupon the Speaker declared that **S 1221** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 96**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 96**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Clark. Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 96**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 96**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Black, Boe, Burgoyne, Chavez, Eskridge, Higgins, Jaquet, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Smith(30), Smith(24). Total – 15.

NAYS – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn,

Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 55.

Paired Votes:

AYE – Jaquet NAY – Clark

AYE – Black NAY – Wills

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 96**, as amended in the Senate, failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Wednesday, April 22, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:40 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDRED FIRST LEGISLATIVE DAY
WEDNESDAY, APRIL 22, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused – Boe, Clark, Crane, Smith(24).

Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

April 22, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundredth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 20, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 97, as amended, **H 230**, and **H 241**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 21, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 194, as amended in the Senate,

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
Boise

April 21, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following House Bills, to wit:

H 272, H 273, H 274, H 280, H 282, H 283, H 284, H 292, H 293, H 295, H 297, H 298, and H 300

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 11:55 a.m. on April 21, 2009.

I have no problem with these bills. At some point they will merit positive consideration. However, consistent with my desire to provide you with the time to substantively address our need for an ongoing source of transportation revenue, I am vetoing these bills today and will continue vetoing appropriations bills until an adequate transportation bill is approved by the Legislature and delivered for my consideration.

I still do not intend to call a special session of the Legislature because I am not going to let this session end until this legitimate and proper role of government is addressed in the manner it deserves.

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

H 272, H 273, H 274, H 280, H 282, H 283, H 284, H 292, H 293, H 295, H 297, H 298, and H 300, with the Governor's Veto Message attached, were ordered held at the Desk.

April 21, 2009

Mr. Speaker:

I return herewith enrolled **H 306** and **HCR 30** which have been signed by the President.

WOOD, Secretary

Enrolled **H 306** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 30** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

April 21, 2009
 Mr. Speaker:
 I transmit herewith **S 1227** which has passed the Senate.
 WOOD, Secretary

S 1227 was filed for first reading.

April 21, 2009
 Mr. Speaker:
 I return herewith **H 287, H 299, H 308, H 309, H 310, H 301,**
 and **H 302** which have passed the Senate.
 WOOD, Secretary

H 287, H 299, H 308, H 309, H 310, H 301, and **H 302** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 21, 2009
 Mr. Speaker:
 I return herewith **H 256**, as amended in the Senate, as amended in the Senate, and **H 262**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 256, as amended in the Senate, as amended in the Senate, and **H 262**, as amended in the Senate, were ordered held at the Desk.

Report of Standing Committees

April 22, 2009
 Mr. Speaker:
 We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 178**, as amended, **H 312**, and **H 313**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 178**, as amended, **H 312**, and **H 313** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 21, 2009
 Mr. Speaker:
 We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 24, H 268, H 272, H 273, H 274, H 276, H 277, H 280, H 282, H 283, H 284, H 290, H 291, H 292, H 293, H 294, H 295, H 296, H 297, H 298,** and **H 300** to the Governor at 11:55 a.m., as of this date, April 21, 2009.

CLARK, Chairman

April 21, 2009
 Mr. Speaker:
 We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1166**, as amended, and recommend that it do pass.

BLACK, Chairman

S 1166, as amended, was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 328 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO SCHOOL BUILDING MAINTENANCE FUNDS; TO PROVIDE FOR ALTERNATIVE USES OF CERTAIN SCHOOL BUILDING MAINTENANCE FUNDS.

HOUSE BILL NO. 329 BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO FUELS; AMENDING SECTION 63-2407, IDAHO CODE, TO DELETE CERTAIN DEDUCTIONS; AND PROVIDING AN EFFECTIVE DATE.

H 328 and **H 329** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1227, by Finance Committee, was introduced, read the first time by title, and held at the Desk.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1204 and **S 1215**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 267, as amended in the Senate, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 258, as amended in the Senate, and **H 218**, as amended in the Senate, by State Affairs Committee, were read the second time by title and filed for third reading.

H 187, as amended in the Senate, by Business Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Lake asked unanimous consent that **S 1214** be returned to the Commerce and Human Resources Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **S 1133** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1133 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **S 1133** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Boyle, Chadderdon, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(35), Mr. Speaker. Total – 51.

NAYS – Bilbao, Burgoyne, Chavez, Chew, Durst, Jaquet, Jarvis, Kren, Labrador, Luker, Pence, Ruchti, Rusche, Shepherd(02), Shirley, Wills, Wood(27). Total – 17.

Absent and excused – Crane, Smith(24). Total – 2.

Paired Votes:

AYE – Clark NAY – Burgoyne

AYE – Boe NAY – Durst

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1133** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1184** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1184 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **S 1184** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 50.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pence, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Smith(30), Trail. Total – 18.

Absent and excused – Crane, Smith(24). Total – 2.

Paired Votes:

AYE – Clark NAY – Ruchti

AYE – Moyle NAY – Boe

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1184** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Thursday, April 23, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 10:45 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDRED SECOND LEGISLATIVE DAY
THURSDAY, APRIL 23, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused – Clark, Crane, Lake, Rusche. Total – 4.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Taleesha Willie, Page.

Approval of Journal

April 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and First Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

April 22, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1221** and **SCR 112** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1221** and **SCR 112** and, when so signed, ordered them returned to the Senate.

April 22, 2009

Mr. Speaker:

I return herewith enrolled **H 178**, as amended, **H 312**, and **H 313** which have been signed by the President.

WOOD, Secretary

Enrolled **H 178**, as amended, **H 312**, and **H 313** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 22, 2009

Mr. Speaker:

I transmit herewith **S 1226** which has passed the Senate.

WOOD, Secretary

S 1226 was filed for first reading.

April 22, 2009

Mr. Speaker:

I transmit herewith **S 1224**, **S 1229**, **S 1230**, and **S 1231** which have passed the Senate.

WOOD, Secretary

S 1224, **S 1229**, **S 1230**, and **S 1231** were filed for first reading.

April 22, 2009

Mr. Speaker:

I return herewith **H 314**, **H 315**, **H 319**, **H 320**, **H 322**, **H 316**, **H 317**, **H 318**, **H 321**, **H 195**, and **H 198**, as amended, which have passed the Senate.

WOOD, Secretary

H 314, **H 315**, **H 319**, **H 320**, **H 322**, **H 316**, **H 317**, **H 318**, **H 321**, **H 195**, and **H 198**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 328** and **H 329**.

CLARK, Chairman

H 328 was referred to the Education Committee.

H 329 was filed for second reading.

April 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 287**, **H 299**, **H 308**, **H 309**, **H 310**, **H 301**, and **H 302**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 287**, **H 299**, **H 308**, **H 309**, **H 310**, **H 301**, and **H 302** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 22, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 306** to the Governor at 11:15 a.m., as of this date, April 22, 2009.

CLARK, Chairman

April 22, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 30** to the Secretary of State at 11:14 a.m., as of this date, April 22, 2009.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 330
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 331
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; SETTING ASIDE THE TEN PERCENT TRANSFER BETWEEN PROGRAMS LIMITATION UNDER A SPECIFIC CIRCUMSTANCE; REAPPROPRIATING CERTAIN FUNDS FOR CAPITAL OUTLAY; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 332
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; CLARIFYING THE APPROPRIATION FOR THE PORTFOLIO INVESTMENT PROGRAM; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

H 330, H 331, and H 332 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1226, S 1224, S 1229, S 1230, and S 1231, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

Mrs. Wood(35) asked unanimous consent that **S 1183** on General Orders be filed for Second Reading. There being no objection, it was so ordered.

S 1166, as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 323, H 324, H 325, H 326, H 327, and S 1216** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

H 267, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall **H 267**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Anderson, Clark, Crane, Kren, Lake, Rusche. Total – 6.

Total – 70.

Whereupon the Speaker declared **H 267**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 258, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall **H 258**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Harwood, Kren. Total – 2.

Absent and excused – Anderson, Clark, Crane, Lake. Total – 4.

Paired Votes:

AYE – Rusche NAY – Kren

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared **H 258**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 218, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

Ms. Jaquet asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 218**, as amended in the Senate. There being no objection it was so ordered.

The question being, "Shall **H 218**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst, Jaquet, Killen, Ringo, Sayler, Trail. Total – 6.

Absent and excused – Clark, Crane, Lake, Rusche. Total – 4.

Paired Votes:

AYE – Anderson NAY – Durst

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared **H 218**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 187, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 187**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Clark, Crane, Lake, Rusche. Total – 5.

Total – 70.

Whereupon the Speaker declared **H 187**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

S 1204 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **S 1204** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez,

Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Anderson, Clark, Crane, Labrador, Lake, Rusche, Wood(35). Total – 7.

Total – 70.

Whereupon the Speaker declared that **S 1204** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1215 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Higgins to open debate.

The question being, "Shall **S 1215** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Clark, Crane, Lake, Rusche, Wood(35). Total – 6.

Total – 70.

Whereupon the Speaker declared that **S 1215** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8:30 a.m., Friday, April 24, 2009. Seconded by Mr. Ruchti. Motion carried.

Whereupon the Speaker declared the House adjourned at 10:33 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDRED THIRD LEGISLATIVE DAY
FRIDAY, APRIL 24, 2009

House of Representatives

The House convened at 8:30 a.m., the Speaker in the Chair.

Roll call showed 43 members present.

Absent and excused – Anderson, Andrus, Bedke, Bell, Boe, Burgoyne, Chadderdon, Chew, Clark, Crane, Henderson, Jarvis, King, Labrador, Lake, Loertscher, Marriott, Nielsen, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Smith(24), Trail, Wood(27), Wood(35). Total – 27.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

April 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 23, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 24, H 146, as amended, H 229, H 232, as amended in the Senate, H 240, as amended, H 244, as amended, H 251, H 253, H 260, H 261, H 264, H 265, H 266, H 268, H 269, H 281, H 290, H 291, H 294, H 296, H 312, H 276, H 277, and H 313

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 23, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1133** and **S 1184** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1133** and **S 1184** and, when so signed, ordered them returned to the Senate.

Report of Standing Committees

April 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 330, H 331, and H 332**.

CLARK, Chairman

H 330, H 331, and H 332 were filed for second reading.

April 24, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 314, H 315, H 319, H 320, H 322, H 316, H 317, H 318, H 321, H 195, H 198, as amended, H 267, as amended in the Senate, H 258, as amended in the Senate, H 218, as amended in the Senate, and H 187, as amended in the Senate**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 314, H 315, H 319, H 320, H 322, H 316, H 317, H 318, H 321, H 195, H 198, as amended, H 267, as amended in the Senate, H 258, as amended in the Senate, H 218, as amended in the Senate, and H 187, as amended in the Senate**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 23, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 178, as amended, H 312, and H 313** to the Governor at 11:05 a.m., as of this date, April 23, 2009.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 333 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING A CASH TRANSFER; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 334 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO AN INCREASE IN MOTOR VEHICLE PERMIT AND SERVICE FEES; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 49-202, IDAHO CODE, TO INCREASE FEES FOR SERVICES RELATING TO ISSUING TITLES AND REGISTRATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-306, IDAHO CODE, TO INCREASE DRIVER'S LICENSE AND PERMIT FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-328, IDAHO CODE, TO INCREASE FEES FOR REINSTATEMENT OF LICENSES, TO DELETE ARCHAIC LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-523, IDAHO CODE, TO INCREASE FEES FOR ISSUING TEMPORARY PERMITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-1224, IDAHO CODE, TO INCREASE FEES FOR CERTIFICATION OF SELF-INSURANCE; AMENDING SECTION 49-1607, IDAHO CODE, TO INCREASE FEES FOR ISSUING CERTAIN LICENSES; AMENDING SECTION 49-2444, IDAHO CODE, TO INCREASE FEES FOR IDENTIFICATION CARDS; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 335
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO UNEMPLOYMENT BENEFITS; AMENDING SECTION 72-1367A, IDAHO CODE, TO PROVIDE FOR A STATE "ON" INDICATOR RELATING TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, TO PROVIDE CRITERIA, TO REVISE PROVISIONS RELATING TO A STATE "OFF" INDICATOR, TO PROVIDE AN ADDITIONAL CRITERION FOR A STATE "OFF" INDICATOR, TO REVISE A DEFINITION, TO PROVIDE FOR TOTAL EXTENDED BENEFIT AMOUNTS IN HIGH UNEMPLOYMENT PERIODS, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 336
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

H 333, H 334, H 335, and H 336 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 329, by Ways and Means Committee, was read the second time by title and filed for third reading.

S 1226, S 1224, S 1229, S 1230, and S 1231, by Finance Committee, were read the second time by title and filed for third reading.

S 1183, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, April 27, 2009. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Monday, April 27, 2009. Seconded by Mr. Ruchti. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:44 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:
BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDRED SIXTH LEGISLATIVE DAY
MONDAY, APRIL 27, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Anderson, Marriott, McGeachin.

Total – 3.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

April 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 24, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 231 and H 248

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 24, 2009

Mr. Speaker:

I return herewith enrolled **H 287, H 299, H 301, H 302, H 308, H 309, and H 310** which have been signed by the President.

WOOD, Secretary

Enrolled **H 287, H 299, H 301, H 302, H 308, H 309, and H 310** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

H 256, as amended in the Senate, as amended in the Senate, was previously held at the Desk, April 22, 2009.

Mr. Nonini asked unanimous consent that the House concur in the Senate amendments to **H 256**, as amended in the Senate, as amended in the Senate. There being no objection, it was so ordered.

H 262, as amended in the Senate, was previously held at the Desk, April 22, 2009.

Mr. Nonini asked unanimous consent that the House concur in the Senate amendments to **H 262**, as amended in the Senate. There being no objection, it was so ordered.

H 256, as amended in the Senate, as amended in the Senate, and **H 262**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

April 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 333, H 334, H 335, and H 336**.

CLARK, Chairman

H 333 and H 335 were filed for second reading.

H 334 and H 336 were referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 337 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-432, IDAHO CODE, TO REVISE SPECIFIED PERMIT FEES, TO DELETE REFERENCE TO CERTAIN PERMIT FEES, TO PROVIDE CERTAIN PERMIT FEES, TO PROVIDE CODE REFERENCES AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO DELETE REFERENCE TO CERTAIN REGISTRATION FEES, TO PROVIDE CERTAIN REGISTRATION FEES, TO PROVIDE FOR DEPOSIT OF MONEYS, TO PROVIDE CORRECT CODE REFERENCES, TO REVISE CERTAIN REGISTRATION AND ADMINISTRATIVE FEES, TO PROVIDE EFFECTIVE DATES, TO PROVIDE OPTIONS TO CERTAIN ANNUAL REGISTRATIONS, TO SPECIFY PROCESS PROVISIONS, TO PROVIDE FOR ADMINISTRATIVE FEES, TO DELETE REFERENCE TO PROVISIONS RELATING TO REGISTRATION FEES FOR SPECIFIED COMMERCIAL AND FARM VEHICLES, TO PROVIDE FOR REGISTRATION FEES FOR SPECIFIED COMMERCIAL AND FARM VEHICLES, TO REVISE FEE PROVISIONS RELATING TO SPECIFIED COMMERCIAL AND FARM VEHICLES AND TO DELETE REFERENCE TO CERTAIN USE FEES; AMENDING SECTION 49-435, IDAHO CODE, TO REVISE AN IDENTIFICATION

CHARGE; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701A, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION FUND, TO PROVIDE FOR MONEYS DEPOSITED INTO THE FUND, TO PROVIDE FOR INTEREST, TO PROVIDE FOR APPORTIONMENT OF FUND MONEYS, TO PROVIDE FOR CONTINUOUS APPROPRIATION AND TO PROVIDE FOR EXPENDITURES; AND PROVIDING EFFECTIVE DATES.

H 337 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 330, **H 331**, and **H 332**, by Appropriations Committee, were read the second time by title and filed for third reading.

Mr. Moyle moved that the House recess until 1 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

RECESS Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Anderson, Marriott, McGeachin.
Total – 3.

Total – 70.

Prior to recess, the House was at the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

April 27, 2009

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1112**, as amended, and report it back without recommendation, amended as follows:

HOUSE AMENDMENT TO S.B. NO. 1112, As Amended

AMENDMENT TO SECTION 2

On page 3 of the engrossed bill, in line 8, delete "four (4)" and insert: "seven (7)".

AMENDMENT TO SECTION 3

On page 4, delete lines 1 and 2, and insert:

"(5) The provision of care for children of ~~only one (1) immediate a family in addition to the person's own children within the second degree of relationship.~~"

AMENDMENT TO SECTION 4

On page 4, delete lines 21 and 22, and insert: "the department. No charge for any reinspection after the initial inspection in any license period shall be made to the ~~day-care center~~ daycare facility.".

AMENDMENT TO SECTION 6

On page 5, delete lines 12 through 15, and insert: "of a license The department shall send a renewal application to the owner of the daycare facility no later than ninety (90) days prior to the expiration of an existing license. The owner shall submit to the department the renewal application with the required renewal fee and a criminal history check prior to the expiration of the existing license. A complete criminal history check shall be provided for any new persons requiring a criminal history check in accordance with section 39-1105, Idaho Code. A limited criminal history check shall be provided for those persons eighteen (18) years of age or older who where previously checked. The limited criminal history check shall include:"; and following line 23, insert:

"(5) Submission of a renewal application, fee and required criminal history check shall entitle the daycare facility owner to continue daycare services, subject to action by the department pursuant to section 39-1113, Idaho Code.".

AMENDMENT TO SECTION 7

On page 5, in line 27, delete "~~not exceed one hundred~~" and insert: "not exceed one hundred"; delete lines 28 through 32, and insert: "seventy-five dollars (\$100.00/75) for daycare centers and one hundred dollars (\$100) for group daycare facilities. The board shall allocate the fee for fire and health inspections and for the eCriminal history check. The board shall also establish a renewal fee which shall not exceed sixty dollars (\$60.00) fees shall be in addition, but at actual cost. No other fees shall be charged for each license period. The department may allocate the fees to daycare licensing administration costs as it deems appropriate;"; and delete lines 33 through 40, and insert:

"(2) The applicable license fee in subsection (1) of this section shall be reduced by twenty five percent (25%) for any day care facility which provides evidence that at least fifty percent (50%) of its staff is certified in infant/child first aid and pediatric rescue breathing department is authorized to utilize Idaho child care program funds as otherwise allowed by law to pay for the costs associated with certification and licensing of daycare facilities to the extent that fees collected from the facilities do not fully cover such costs. It is the intent of the legislature that licensing fees and Idaho child care program funds shall fully fund daycare facility licensing administration.".

AMENDMENT TO SECTION 9

On page 6, in line 15, delete "the International Fire Code as adopted by Idaho and"; delete lines 23 and 24; in line 25, delete "(e)" and insert: "(d)"; in line 26, delete "(f)" and insert: "(e)"; and in line 29, delete "(g)" and insert: "(f)".

On page 7, in line 10, delete "(h)" and insert: "(g)".

On page 8, in line 7, delete "Group daycare" and insert: "Daycare"; and in line 12, delete "Group Daycare" and insert: "Daycare".

AMENDMENT TO THE BILL

On page 9, following line 3, insert:

"SECTION 11. That Section 39-1111, Idaho Code, be, and the same is hereby amended to read as follows:

39-1111. RULES AUTHORIZED. In order to implement the provisions of this chapter, the ~~following rule making authority is authorized:~~

(1) ~~The state fire marshal, in addition to other duties imposed by law, is hereby authorized and directed to establish rules necessary to implement the provisions of sections 39-1109 and 39-1114, Idaho Code;~~

(2) ~~District health boards, in addition to other duties imposed by law, are hereby authorized and directed to establish necessary health standards to implement the provisions of section 39-1110, Idaho Code; and~~

(3) ~~The board department, in addition to other duties imposed by law, is hereby authorized and directed through rulemaking to establish procedures necessary to implement the provisions of this chapter including procedure for submission of required certificates as provided in sections 39-1109 and 39-1110, Idaho Code, and to conduct of the criminal history check provided in section 39-1105, Idaho Code.~~

The ~~rule making~~ rulemaking authority granted in this section shall be limited to the specific standards and procedures required by this chapter.

SECTION 12. That Chapter 11, Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 39-1112A, Idaho Code, and to read as follows:

39-1112A. ACCESS TO INFORMATION. The department shall make available to daycare consumers an informational pamphlet, created by the department, to educate daycare consumers with informational tools useful in identifying quality daycare. The department may deliver pamphlets during direct contact with daycare consumers, or by delivering pamphlets to daycare providers during the licensing or renewal process, during inspections or through other appropriate means. The pamphlet shall include:

(1) The importance of parents being vigilant for the safety, emotional health and training of their children that cannot be replaced by any other institution or individual;

(2) The basic characteristics of a quality daycare;

(3) A strong suggestion to parents to inquire about criminal history checks for any provider in a family daycare home;

(4) A link to a department approved website that contains more detailed information; and

(5) A department or other phone number for parents to report unsafe, dangerous or harmful activities within the daycare."

AMENDMENT TO SECTION 11

On page 9, in line 4, delete "SECTION 11" and insert: "SECTION 13"; in line 13, delete "Injuring" and insert: "~~Injuring~~ Felony injury of"; and also in line 13, delete "~~felony or misdemeanor~~"; and on page 10, following line 25, insert:

"(o) Misdemeanor injury to a child, section 18-1501(2), Idaho Code.";

in line 27, delete "any of the following:" and insert: "that the daycare facility is not in compliance with the standards provided for in this chapter or criminal activity that threatens the health or safety of a child."; and delete lines 28 through 36.

AMENDMENT TO SECTION 12

On page 10, in line 43, delete "SECTION 12" and insert: "SECTION 14".

On page 11, in line 1, delete "~~Any person providing day care in a group day~~" and delete lines 2 through 5, and insert: "(1) Any person providing day care daycare for four (4) or more children in a group day care facility, family daycare home shall not be required to be licensed, but shall comply with the requirements of section 39-1105, Idaho Code, for a criminal history check ~~and shall obtain a fire inspection certificate establishing compliance with the standards provided in section 39-1109, Idaho Code.~~

(2) ~~The fire inspections for group day care facilities may be~~; following line 8, insert: "(3)"; and in line 10, delete "four (4) children" and insert: "seven (7) children".

AMENDMENT TO SECTION 13

On page 11, in line 12, delete "SECTION 13" and insert: "SECTION 15".

AMENDMENT TO SECTION 14

On page 11, in line 32, delete "SECTION 14" and insert: "SECTION 16".

AMENDMENT TO SECTION 15

On page 11, in line 37, delete "SECTION 15" and insert: "SECTION 17".

On page 12, delete line 1 and insert: "~~or a group day care facility to which a certificate is issued~~ is free from".

AMENDMENT TO SECTION 16

On page 12, in line 6, delete "SECTION 16" and insert: "SECTION 18".

AMENDMENT TO THE BILL

On page 12, delete lines 29 through 35.

AMENDMENT TO SECTION 18

On page 12, in line 36, delete "SECTION 18" and insert: "SECTION 19".

AMENDMENT TO SECTION 19

On page 12, in line 41, delete "SECTION 19" and insert: "SECTION 20".

CORRECTIONS TO TITLE

On page 1, in line 6, following "TERMINOLOGY" insert: "AND TO REVISE AN EXCEPTION"; in line 9, delete "TO REMOVE"; in line 10, delete "A PROHIBITION ON REINSPECTION CHARGES,"; in line 11, delete "A TECHNICAL CORRECTION" and insert: "TECHNICAL CORRECTIONS"; in line 16, following "RENEWAL," insert: "TO PROVIDE FOR CERTAIN LICENSE RENEWAL PROCEDURES,"; in line 17, delete "LIMITED"; in line 19, following "YEARS OF AGE" insert: ", TO PROVIDE FOR A CERTAIN ENTITLEMENT FOLLOWING CERTAIN SUBMISSIONS"; in line 21, following "RENEWAL FEE," insert: "TO PROVIDE FOR CERTAIN LICENSE FEES FOR DAYCARE CENTERS AND GROUP DAYCARE FACILITIES, TO PROVIDE FOR AN ADDITIONAL CRIMINAL HISTORY CHECK FEE,"; in line 23, following "LICENSE FEES," insert: "TO REVISE ALLOCATIONS OF LICENSE FEES,"; in line 24, following "EXCEPTION" insert: ", TO AUTHORIZE THE DEPARTMENT OF HEALTH AND WELFARE TO UTILIZE CERTAIN FUNDS FOR CERTAIN PURPOSES, TO STATE LEGISLATIVE INTENT"; in line 28, delete "TO REQUIRE COMPLIANCE WITH A CERTAIN"; in line 29, delete "INTERNATIONAL FIRE SAFETY CODE,"; in line 36, following "TERMINOLOGY;" insert: "AMENDING SECTION 39-1111, IDAHO CODE, TO REVISE RULEMAKING AUTHORITY AND TO MAKE

TECHNICAL CORRECTIONS; AMENDING CHAPTER 11, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-1112A, IDAHO CODE, TO PROVIDE FOR ACCESS TO INFORMATION;".

On page 2, in line 1, following "FACILITY LICENSE" insert: "UNDER CERTAIN CIRCUMSTANCES"; in line 4, delete "TO REMOVE REQUIREMENTS" and insert: "TO REVISE A CRIMINAL HISTORY CHECK REQUIREMENT, TO REMOVE A FIRE INSPECTION CERTIFICATE REQUIREMENT,"; delete line 5; in line 6, delete "AND CRIMINAL HISTORY CHECKS,"; in line 8, following "PROVISIONS" insert: ", TO MAKE TECHNICAL CORRECTIONS"; in line 20, delete "AMENDING"; delete lines 21 through 24; and in line 25, delete "PROVIDE CORRECT TERMINOLOGY;".

HOUSE AMENDMENT TO S.B. NO. 1112, As Amended

AMENDMENT TO SECTION 9

On page 8 of the engrossed bill, in line 4, delete "~~All Only~~" and insert: "All"; and in line 5, following "ratio; and," insert: "Employees sixteen (16) and seventeen (17) years of age under the supervision of an adult employee, when providing direct supervision to children, may be counted as staff for the purposes of computing the child-staff ratio.".

We have also had under consideration S 1137 and S 1150, report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the reported be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

S 1112, as amended, as amended in the House, was filed for first reading.

S 1137 and **S 1150** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Roberts asked unanimous consent that **H 329** be returned to the Ways and Means Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **S 1226, S 1224, S 1229, S 1230, S 1231**, and **S 1183** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1226 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall S 1226 pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker.

Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Harwood, Schaefer. Total – 2.

Absent and excused – Anderson, Marriott, McGeachin.
Total – 3.

Total = 70.

Whereupon the Speaker declared that **S 1226** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1224 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall S 1224 pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins,
Schaefer, Wood(35). Total – 7.

Absent and excused – Anderson, Bedke, Cronin, Marriott, McGeachin. Total – 5.

Total = 70.

Whereupon the Speaker declared that **S 1224** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1229 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall S 1229 pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer.
Total – 5.

Absent and excused – Anderson, Bedke, Marriott, McGeachin, Ruchti. Total – 5.

Paired Votes:

AYE – Cronin NAY – Durst

(Pairs enumerated in roll call above.)

Total = 70.

Whereupon the Speaker declared that **S 1229** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1230 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1230** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Burgoyne, Durst, Hagedorn, Harwood, Higgins, Schaefer, Trail. Total – 7.

Absent and excused – Anderson, Bedke, Labrador, Marriott. Total – 4.

Paired Votes:

AYE – McGeachin NAY – Schaefer

AYE – Cronin NAY – Higgins

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1230** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1231 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1231** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Luker, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Barrett, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Kren, Loertscher, Schaefer, Smith(24). Total – 11.

Absent and excused – Anderson, Bedke, Marriott, McGeachin. Total – 4.

Paired Votes:

AYE – Cronin NAY – Durst

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1231** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1183 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall **S 1183** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Hagedorn, Harwood. Total – 2.

Absent and excused – Anderson, Bedke, Cronin, Marriott, McGeachin. Total – 5.

Total – 70.

Whereupon the Speaker declared that **S 1183** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

April 27, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 334** and recommend that it do pass.

WOOD, Chairman

H 334 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 338 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO FUELS; AMENDING SECTION 63-2407, IDAHO CODE, TO DELETE CERTAIN DEDUCTIONS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

H 338 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Tuesday, April 28, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at
4:10 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDRED SEVENTH LEGISLATIVE DAY
TUESDAY, APRIL 28, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – McGeachin. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

Approval of Journal

April 28, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 27, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 306

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 27, 2009

Mr. Speaker:

I transmit herewith enrolled S 1204 and S 1215 for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled S 1204 and S 1215 and, when so signed, ordered them returned to the Senate.

April 27, 2009

Mr. Speaker:

I return herewith enrolled H 187, as amended in the Senate, H 195, H 198, as amended, H 218, as amended in the Senate, H 258, as amended in the Senate, H 267, as amended in the Senate, H 314, H 315, H 316, H 317, H 318, H 319, H 320, H 321, and H 322 which have been signed by the President.

WOOD, Secretary

Enrolled H 187, as amended in the Senate, H 195, H 198, as amended, H 218, as amended in the Senate, H 258, as amended in the Senate, H 267, as amended in the Senate, H 314, H 315, H 316, H 317, H 318, H 319, H 320, H 321, and H 322 were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Report of Standing Committees

April 28, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed H 337, H 338, and House amendments to S 1112, as amended.

CLARK, Chairman

H 337 was referred to the Transportation and Defense Committee.

H 338 was filed for second reading.

April 28, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed H 256, as amended in the Senate, as amended in the Senate, and H 262, as amended in the Senate.

CLARK, Chairman

H 256, as amended in the Senate, as amended in the Senate, and H 262, as amended in the Senate, were filed for first reading of engrossed bills.

April 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled H 287, H 299, H 301, H 302, H 308, H 309, and H 310 to the Governor at 10:35 a.m., as of this date, April 27, 2009.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 339 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-521, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SEVERANCE PAYMENTS; REPEALING SECTION 33-1004G, IDAHO CODE, RELATING TO EARLY

RETIREMENT INCENTIVES; AMENDING SECTION 33-1004H, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EMPLOYING RETIRED TEACHERS AND ADMINISTRATORS; AMENDING SECTION 33-1004, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INSTRUCTIONAL STAFF ALLOWANCE; TO PROVIDE FOR ALTERNATIVE USES OF CERTAIN SCHOOL BUILDING MAINTENANCE FUNDS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1619, IDAHO CODE, TO PROVIDE THAT SCHOOL DISTRICTS MAY OFFER VIRTUAL SCHOOL INSTRUCTION, TO PROVIDE THAT SCHOOL DISTRICTS MAY OFFER A BLEND OF VIRTUAL AND TRADITIONAL INSTRUCTION AND TO PROVIDE FOR THE COUNTING AND REPORTING OF AVERAGE DAILY ATTENDANCE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 340
BY WAYS AND MEANS COMMITTEE
 AN ACT

RELATING TO CERTAIN INSURANCE AND THE STATE INSURANCE FUND; TO PROVIDE LEGISLATIVE INTENT; REPEALING SECTION 72-915, IDAHO CODE, RELATING TO DIVIDENDS; AMENDING CHAPTER 9, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-928A, IDAHO CODE, TO PROVIDE THAT A PUBLIC CORPORATION MAY INSURE AGAINST LIABILITY FOR COMPENSATION WITH THE STATE INSURANCE FUND OR WITH CERTAIN LICENSED INSURANCE CARRIERS; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 341
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 342
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 343
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; DIRECTING COMMISSIONER SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 344
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT TO CLARIFY THE SCOPE OF THE APPROPRIATION; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 345
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 346
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE DIVISION OF HUMAN RESOURCES FUND TO THE GENERAL FUND; DIRECTING THE COLLECTION OF CERTAIN FEES BY THE DIVISION OF HUMAN RESOURCES FOR AGENCIES NOT OPERATING UNDER A DELEGATED AUTHORITY MEMORANDUM OF UNDERSTANDING; DIRECTING THE COLLECTION OF CERTAIN FEES BY THE DIVISION OF HUMAN RESOURCES FOR AGENCIES OPERATING UNDER A DELEGATED AUTHORITY MEMORANDUM OF UNDERSTANDING; DIRECTING THE PAYMENT FOR STATEWIDE MANAGEMENT AND HUMAN RESOURCES TRAINING TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; DIRECTING THE DIVISION OF HUMAN RESOURCES TO ADJUST THE PAY SCHEDULE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 347
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 348
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS FOR THE MILITARY DIVISION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; GRANTING A CONTINUOUS APPROPRIATION FOR THE BUREAU OF HOMELAND SECURITY'S MISCELLANEOUS

REVENUE FUND FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 349
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON THE BUSINESS AND JOBS DEVELOPMENT FUND; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 350
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 351
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS AND DIRECTING A TRANSFER OF FUNDS TO THE STATE INDEPENDENT LIVING COUNCIL FUND FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE IDAHO STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 352
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE IDAHO COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 353
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS AND DIRECTING A TRANSFER OF FUNDS TO THE PUBLIC HEALTH TRUST FUND FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

H 339, H 340, H 341, H 342, H 343, H 344, H 345, H 346, H 347, H 348, H 349, H 350, H 351, H 352, and H 353 were

introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1112, as amended, as amended in the House, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 256, as amended in the Senate, as amended in the Senate, and **H 262**, as amended in the Senate, by Education Committee, were introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 333, by Appropriations Committee, was read the second time by title and filed for third reading.

H 335 and **H 334**, by Ways and Means Committee, were read the second time by title and filed for third reading.

Mr. Moyle moved that the House recess until 1 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

RECESS
Afternoon Session

The House reconvened at 1 p.m., Mr. Moyle in the Chair.

Roll call showed 66 members present.

Absent and excused – Cronin, Lake, McGeachin, Mr. Speaker. Total – 4.
Total – 70.

Prior to recess, the House was at the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

April 28, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 339, H 340, H 341, H 342, H 343, H 344, H 345, H 346, H 347, H 348, H 349, H 350, H 351, H 352, and H 353**.

CLARK, Chairman

H 339, H 341, H 342, H 343, H 344, H 345, H 346, H 347, H 348, H 349, H 350, H 351, H 352, and H 353 were filed for second reading.

H 340 was ordered held at the Desk.

April 28, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 187**, as amended in the Senate, **H 195, H 198**, as amended, **H 218**, as amended in the Senate, **H 258**, as amended in the Senate, **H 267**, as amended in the Senate, **H 314, H 315, H 316, H 317, H 318, H 319, H 320, H 321, and H 322** to the Governor at 11:10 a.m., as of this date, April 28, 2009.

CLARK, Chairman

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 256**, as amended in the Senate, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 256**, as amended in the Senate, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Cronin, Lake, McGeachin, Mr. Speaker. Total – 4.
Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 256**, as amended in the Senate, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini to open debate.

The question being, "Shall **H 256**, as amended in the Senate, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27). Total – 61.

NAYS – Barrett, Durst, Schaefer, Trail, Wood(35). Total – 5.

Absent and excused – Cronin, Lake, McGeachin, Mr. Speaker. Total – 4.
Total – 70.

Whereupon the Speaker Pro Tem declared **H 256**, as amended in the Senate, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 262**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to

be read on three several days be dispensed with, this being a case of urgency; and that **H 262**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Cronin, Lake, McGeachin, Mr. Speaker. Total – 4.
Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 262**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini to open debate.

The question being, "Shall **H 262**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27). Total – 46.

NAYS – Barrett, Boe, Burgoyne, Chavez, Chew, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Shepherd(02), Smith(30), Smith(24), Trail, Wood(35). Total – 20.

Absent and excused – Cronin, Lake, McGeachin, Mr. Speaker. Total – 4.
Total – 70.

Whereupon the Speaker Pro Tem declared **H 262**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 354 BY APPROPRIATIONS COMMITTEE AN ACT

CLARIFYING THAT ANY REFERENCE TO THE IDAHO
SCHOOL FOR THE DEAF AND THE BLIND SHALL MEAN

THE BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND; AND APPROPRIATING MONEYS TO THE BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2010.

HOUSE BILL NO. 355
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 356
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; REAUTHORIZING LIMITED SERVICE POSITIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 357
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2009; APPROPRIATING MONEYS FOR THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING A CERTAIN UNEXPENDED AND UNENCUMBERED BALANCE; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; REAUTHORIZING LIMITED SERVICE POSITIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 358
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 359
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 360
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE IDAHO EDUCATIONAL PUBLIC BROADCASTING SYSTEM FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT FOR PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 361
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 362
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 363
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE HUMAN RIGHTS COMMISSION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 364
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 365
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 366
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE SELF-GOVERNING AGENCIES FOR THE MEDICAL BOARDS FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE SELF-GOVERNING AGENCIES FOR THE REGULATORY BOARDS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 367
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE STATE LIQUOR DISPENSARY FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED FUND BALANCES; AMENDING SECTION 3, CHAPTER 392, LAWS OF 2006, TO REVISE A CERTAIN DATE; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 368
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO INVASIVE SPECIES APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION TO ADMINISTER AN INVASIVE SPECIES VESSEL REGISTRATION PROGRAM FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF RECREATION TO PASS THESE FUNDS THROUGH TO THE INVASIVE SPECIES FUND FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR EXPENDITURE PURSUANT TO SECTION 22-1911, IDAHO CODE, FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION TO ADMINISTER AN INVASIVE SPECIES VESSEL REGISTRATION PROGRAM FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION TO PASS THESE FUNDS THROUGH TO THE INVASIVE SPECIES FUND FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR EXPENDITURE PURSUANT TO SECTION 22-1911, IDAHO CODE, FOR FISCAL YEAR 2010; AND DECLARING AN EMERGENCY.

H 354, H 355, H 356, H 357, H 358, H 359, H 360, H 361, H 362, H 363, H 364, H 365, H 366, H 367, and **H 368** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Third Reading of Bills and Joint Resolutions

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 10:30 a.m., Wednesday, April 29, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 3:11 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:
BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDRED EIGHTH LEGISLATIVE DAY
WEDNESDAY, APRIL 29, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Cronin, Patrick, Trail. Total – 3.

Total – 70.

Prayer was offered by Representative Dell Raybould.

The Pledge of Allegiance was led by Philip Alexander, Page.

Approval of Journal

April 29, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Seventh Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

April 28, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1183, S 1224, S 1226, S 1229, S 1230, and S 1231** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1183, S 1224, S 1226, S 1229, S 1230, and S 1231** and, when so signed, ordered them returned to the Senate.

April 28, 2009

Mr. Speaker:

I transmit herewith **S 1232**, as amended, which has passed the Senate.

WOOD, Secretary

S 1232, as amended, was filed for first reading.

Report of Standing Committees

April 29, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 354, H 355, H 356, H 357, H 358, H 359, H 360, H 361, H 362, H 363, H 364, H 365, H 366, H 367, and H 368**.

CLARK, Chairman

H 354, H 355, H 356, H 357, H 358, H 359, H 360, H 361, H 362, H 363, H 364, H 365, H 366, H 367, and H 368 were filed for second reading.

Mrs. Bell asked unanimous consent that **H 354** be returned to the Appropriations Committee. There being no objection, it was so ordered.

April 29, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 256**, as amended in the Senate, as amended in the Senate, and **H 262**, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 256**, as amended in the Senate, as amended in the Senate, and **H 262**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 369 BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF OPERATIONS BY AMENDING SECTION 6, HOUSE BILL NO. 325, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE.

HOUSE BILL NO. 370 BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC SCHOOLS SUPPORT/DIVISION OF TEACHERS FOR FISCAL YEAR 2010.

H 369 and **H 370** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1232, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 338 and **H 339**, by Ways and Means Committee, were read the second time by title and filed for third reading.

S 1112, as amended, as amended in the House, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 341, H 342, H 343, H 344, H 345, H 346, H 347, H 348, H 349, H 350, H 351, H 352, and H 353, by Appropriations Committee, were read the second time by title and filed for third reading.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared that **H 330** passed the House. Title was approved and the bill ordered transmitted to the Senate.

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen,

Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins, Mathews, Schaefer, Shepherd(08). Total – 8.

Absent and excused – Cronin, Trail. Total – 2.

Paired Votes:

AYE – Patrick NAY – Schaefer

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1216** passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House returned to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1227, by Finance Committee, previously read the first time and held at the Desk, April 22, 2009, was filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 31 BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT AN INTERIM COMMITTEE TO REVIEW FUNDING NEEDS RELATING TO THE STATE HIGHWAY SYSTEM.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Transportation Department (ITD) has responsibility for approximately 5,000 centerline miles of highway and nearly 1,760 bridges in Idaho; and

WHEREAS, a recent legislative audit found that current funding for transportation cannot keep pace with the growth in costs to meet Idaho's basic transportation needs of preserving and restoring Idaho's highways and bridges; and

WHEREAS, this revenue shortfall in required funding is caused by a growing need for preservation and restoration of the state highway system made even more dire by the eventual need to preserve and restore capacity projects already programmed; and

WHEREAS, the recent economic downturn has produced an economy where tax increases will result in further economic hardship to many Idahoans; and

WHEREAS, it is undeniable that a reliable, resilient and effective transportation system is essential to the state's long-term growth; and

WHEREAS, the current transportation revenue structure will not meet the pressing transportation funding needs over the next 30 years; and

WHEREAS, transportation is not just a state problem but rather, it transcends all levels of government in Idaho with almost 300 jurisdictions having some role in the state's transportation network, such that transportation funding needs

must be addressed at all levels of government and jurisdictions; and

WHEREAS, federal funding cannot be relied upon to solve Idaho's transportation funding challenges; and

WHEREAS, Idaho's transportation funding must be addressed in a manner that is comprehensive and takes into full account changing fuel consumption patterns; and

WHEREAS, solutions to Idaho's transportation funding challenge will require innovative and perhaps nontraditional revenue sources; and

WHEREAS, a review of such issues should be done in a measured, deliberative manner, providing a wide array of policy options to move transportation funding forward for Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a fourteen member committee, comprised of seven members from each house, to undertake and complete a study of Idaho's transportation system, including a thorough review of current transportation funding and an analysis of nontraditional funding sources. The principal goal of the committee will be to make recommendations to the Second Regular Session of the Sixtieth Idaho Legislature to address Idaho's transportation funding shortfall. The Legislative Council shall determine the membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the coauthors of the committee who are appointed by the Legislative Council. Nonlegislative members of the committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixtieth Idaho Legislature.

HCR 31 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 372 BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO ELECTIONS; APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE FOR TRUSTEE AND BENEFIT PAYMENTS IN FISCAL YEAR 2010 AND CREATING THE CONSOLIDATED ELECTIONS FUND; AMENDING SECTION 21-805, IDAHO CODE, TO PROVIDE DUTIES OF THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS IN AN ELECTION TO ESTABLISH A REGIONAL AIRPORT AUTHORITY, TO PROVIDE ELECTION DATES, TO PROVIDE FOR CANVASSING OF VOTES BY THE COUNTY BOARD OF CANVASSERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 21-806, IDAHO CODE, TO PROVIDE FOR AN ELECTION OF A BOARD OF TRUSTEES OF A REGIONAL AIRPORT AUTHORITY; AMENDING SECTION 22-2721, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL BE THE ELECTION OFFICIAL AND SHALL CONDUCT

ALL ELECTIONS OF A SOIL CONSERVATION DISTRICT, TO PROVIDE FOR PAYMENT OF ELECTION EXPENSES BY THE COUNTY THAT CONDUCTS THE ELECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2725, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL SUPERVISE AN ELECTION TO DISCONTINUE A SOIL CONSERVATION DISTRICT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-4301, IDAHO CODE, TO PROVIDE FOR ELECTIONS OF A WEATHER MODIFICATION DISTRICT TO BE CONDUCTED BY THE COUNTY CLERK ON SPECIFIED DATES AND TO PROVIDE FOUR YEAR TERMS FOR BOARD MEMBERS; AMENDING SECTION 23-917, IDAHO CODE, TO PROVIDE THAT A LOCAL OPTION REFERENDUM ELECTION SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 23-918, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK MUST FURNISH ELECTION BALLOTS AND TO PROVIDE THAT THE ELECTOR MUST INDICATE THE ELECTOR'S CHOICE ON THE BALLOT; AMENDING SECTION 23-919, IDAHO CODE, TO PROVIDE THAT THE COUNTY BOARD OF CANVASSERS SHALL CERTIFY ELECTION RESULTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 27-107, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF A CEMETERY MAINTENANCE DISTRICT SHALL BE CONDUCTED IN ACCORDANCE WITH CHAPTERS 12 AND 14, TITLE 34, IDAHO CODE, AND TO PROVIDE DUTIES OF THE COUNTY CLERK; AMENDING SECTION 27-111, IDAHO CODE, TO PROVIDE THAT ELECTIONS FOR CEMETERY MAINTENANCE DISTRICT COMMISSIONERS SHALL BE CONDUCTED BY THE COUNTY CLERK, TO PROVIDE FOR TRANSITION OF TERMS FROM EVEN-NUMBERED YEARS TO ODD-NUMBERED YEARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-402, IDAHO CODE, TO PROVIDE THE DATE THAT AN ELECTION TO CONSOLIDATE COUNTIES SHALL BE HELD; AMENDING SECTION 31-403, IDAHO CODE, TO PROVIDE THAT THE CONTENT OF A PETITION TO HOLD AN ELECTION TO CONSOLIDATE COUNTIES SHALL INDICATE A CERTAIN DATE; AMENDING SECTION 31-407, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN AN ELECTION TO CONSOLIDATE COUNTIES AND TO PROVIDE FOR APPLICATION OF LAW; AMENDING SECTION 31-408, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK FOR PREPARATION AND FORM OF BALLOTS; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-809A, IDAHO CODE, TO PROVIDE FOR THE CREATION OF A COUNTY ELECTION FUND IN EACH COUNTY AND TO PROVIDE FOR WHAT MONEYS IN THE FUND MAY BE USED; AMENDING SECTION 31-1406, IDAHO CODE, TO REVISE PROCEDURES FOR ELECTION OF DIRECTORS IN A FIRE PROTECTION DISTRICT; AMENDING SECTION 31-1410, IDAHO CODE, TO PROVIDE FOR ELECTION OF FIRE PROTECTION DISTRICT COMMISSIONERS IN ODD-NUMBERED YEARS, TO PROVIDE FOR TRANSITION OF TERMS TO ELECTIONS IN ODD-NUMBERED YEARS, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-4306, IDAHO CODE, TO REVISE PROCEDURES FOR ELECTION OF RECREATION DISTRICT DIRECTORS; AMENDING SECTION 31-4323, IDAHO CODE, TO

PROVIDE THAT RECREATION DISTRICT ELECTIONS ARE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4325, IDAHO CODE, TO PROVIDE THAT ELECTIONS FOR PROPOSED INDEBTEDNESS OF A RECREATION DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 31-4510, IDAHO CODE, TO PROVIDE THAT THE ELECTION SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 31-4701, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN COUNTY MUSEUM BOARD ELECTIONS IN ACCORDANCE WITH TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-308, IDAHO CODE, TO PROVIDE THE DATES THAT SCHOOL DISTRICT ELECTIONS TO EXCISE AND ANNEX TERRITORY SHALL BE HELD AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-311, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE HOW CONSOLIDATED ELECTIONS ARE CONDUCTED; AMENDING SECTION 33-312, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO DIVIDE A SCHOOL DISTRICT SHALL BE HELD ON PROVIDED DATES AND CONDUCTED ACCORDING TO TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-313, IDAHO CODE, TO REQUIRE SUBMISSION TO THE COUNTY CLERK OF CERTAIN INFORMATION UPON APPROVAL BY THE STATE BOARD OF EDUCATION TO CHANGE TRUSTEE ZONES, TO DELETE REFERENCE TO THE LENGTH OF TERM OF OFFICE FOR MEMBERS OF A SCHOOL BOARD OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-317, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF COOPERATIVE SERVICE AGENCIES SHALL BE HELD ON SPECIFIED DATES AND CONDUCTED PURSUANT TO SECTION 34-106, IDAHO CODE; AMENDING SECTION 33-351, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CREATE SCHOOL SUBDISTRICTS SHALL BE HELD ON SPECIFIED DATES AND CONDUCTED PURSUANT TO SECTION 34-106, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-354, IDAHO CODE, TO REVISE HOW SCHOOL BOND ELECTIONS ARE CONDUCTED, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-401, IDAHO CODE, TO REVISE LEGISLATIVE INTENT REGARDING SCHOOL ELECTIONS; AMENDING SECTION 33-402, IDAHO CODE, TO REVISE NOTICE REQUIREMENTS REGARDING SCHOOL ELECTIONS; REPEALING SECTIONS 33-403, 33-403A, 33-403B AND 33-403C, IDAHO CODE, RELATING TO CONDUCTING SCHOOL ELECTIONS; AMENDING SECTION 33-404, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 33-405, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE; REPEALING SECTIONS 33-405A, 33-405B, 33-406, 33-406A, 33-407, 33-408, 33-409, 33-410, 33-411, 33-412, 33-413, 33-414, 33-415, 33-416, 33-417, 33-418, 33-419, 33-420, 33-421, 33-422, 33-423, 33-424, 33-428, 33-429, 33-430, 33-431, 33-432, 33-433, 33-434, 33-435, 33-436, 33-437, 33-438, 33-439, 33-440, 33-441 AND 33-442, IDAHO CODE, RELATING TO SCHOOL DISTRICT ELECTIONS AS CONDUCTED

BY THE SCHOOL DISTRICT; AMENDING SECTION 33-501, IDAHO CODE, TO INCREASE THE TERMS OF SCHOOL DISTRICT BOARDS OF TRUSTEE MEMBERS FROM THREE YEARS TO FOUR YEARS EFFECTIVE AT TIMES AS PROVIDED; REPEALING SECTIONS 33-502A, 33-502C AND 33-502D, IDAHO CODE, RELATING TO CANDIDATES FOR SCHOOL DISTRICT BOARDS OF TRUSTEES; AMENDING SECTION 33-502B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE PROCEDURES; AMENDING SECTION 33-503, IDAHO CODE, TO PROVIDE FOR ELECTION OF SCHOOL DISTRICT BOARDS OF TRUSTEES IN ODD-NUMBERED YEARS ON THE THIRD TUESDAY IN MAY IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 14, TITLE 34, IDAHO CODE; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-503A, IDAHO CODE, TO PROVIDE FOR THE TRANSITION OF SCHOOL TRUSTEE TERMS FROM THREE YEARS TO FOUR YEARS; AMENDING SECTION 33-504, IDAHO CODE, TO PROVIDE FOR APPOINTMENT TO FILL A VACANCY ON A SCHOOL DISTRICT BOARD OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-505, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OR SELECTION OF A SCHOOL DISTRICT BOARD OF TRUSTEES IN A NEWLY CREATED SCHOOL DISTRICT, TO PROVIDE FOR TERMS OF FOUR YEARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-601, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-802, IDAHO CODE, TO PROVIDE THAT CERTAIN SCHOOL LEVY ELECTIONS ARE HELD ON DATES AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 33-803, IDAHO CODE, TO PROVIDE THAT A TAX LEVY ELECTION FOR EDUCATION OF CHILDREN OF MIGRATORY FARM WORKERS IS CONDUCTED AS PROVIDED IN TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-804, IDAHO CODE, TO PROVIDE THAT A SCHOOL PLANT FACILITIES RESERVE FUND LEVY IS HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND IS CONDUCTED AS PROVIDED IN TITLE 34, IDAHO CODE; AMENDING SECTIONS 33-1103 AND 33-1510, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-2106, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF TRUSTEES OF COMMUNITY COLLEGE DISTRICTS SHALL BE HELD IN ODD-NUMBERED YEARS, TO DELETE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2111, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-2715, IDAHO CODE, TO PROVIDE THAT LIBRARY DISTRICT BOARDS OF TRUSTEES SHALL BE ELECTED IN ODD-NUMBERED YEARS FOR TERMS OF SIX YEARS, TO PROVIDE FOR INITIAL APPOINTMENTS OF BOARD MEMBERS, TO PROVIDE FOR TRANSITION OF BOARD MEMBER TERMS TO TERMS OF SIX YEARS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2716, IDAHO CODE, TO DELETE REFERENCE TO ANNUAL ELECTIONS; AMENDING SECTION 33-2718, IDAHO CODE, TO PROVIDE THAT TRUSTEE ELECTIONS SHALL BE HELD IN ODD-NUMBERED YEARS, TO PROVIDE FOR TRANSITION OF BOARD MEMBER TERMS TO TERMS OF SIX YEARS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-106, IDAHO CODE, TO PROVIDE FOR TWO ELECTIONS IN A

CALENDAR YEAR ON SPECIFIED DATES, TO PROVIDE THAT COMMUNITY COLLEGE AND SCHOOL DISTRICT ELECTIONS ARE SUBJECT TO THE LIMITATION ON DATES OF ELECTIONS, TO ALLOW SCHOOL DISTRICTS AN ADDITIONAL TWO DATES EACH YEAR ON WHICH ELECTIONS MAY BE HELD, TO REQUIRE BOND, LEVY AND OTHER BALLOT QUESTION ELECTIONS TO BE HELD WITHIN A TIME CERTAIN UNLESS OTHERWISE PROVIDED BY LAW, TO PROVIDE FOR RECALL ELECTIONS, TO PROVIDE FOR IRRIGATION DISTRICT ELECTIONS ON THE FIRST TUESDAY IN FEBRUARY OF EACH YEAR AND ON THE FIRST TUESDAY IN AUGUST OF EACH YEAR ON QUESTIONS REQUIRED TO BE VOTED UPON BY TITLE 43, IDAHO CODE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-304, IDAHO CODE, TO REVISE THE LAW RELATING TO CHALLENGERS AND WATCHERS; AMENDING SECTION 34-601, IDAHO CODE, TO MAKE DATE CHANGES; AMENDING SECTION 34-602, IDAHO CODE, TO PROVIDE SPECIFICATIONS REGARDING A PUBLISHED SECOND NOTICE OF ELECTION; AMENDING SECTION 34-1401, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL ADMINISTER ALL ELECTIONS ON BEHALF OF ANY POLITICAL SUBDIVISION, TO SPECIFY POLITICAL SUBDIVISIONS EXEMPT FROM THE PROVISIONS OF THIS SECTION AND TO PROVIDE THAT SCHOOL DISTRICT AND HIGHWAY DISTRICT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 34-1404, IDAHO CODE, TO REVISE DECLARATION OF CANDIDACY PROVISIONS; AMENDING SECTION 34-1405, IDAHO CODE, TO REVISE NOTICE OF ELECTION FILING DEADLINE PROVISIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-1406, IDAHO CODE, TO PROVIDE SPECIFICATIONS FOR PUBLISHED NOTICES OF ELECTION BY THE COUNTY CLERK; AMENDING CHAPTER 14, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1411, IDAHO CODE, TO PROVIDE FOR PAYMENT OF ELECTION EXPENSES BY A COUNTY, WITH EXCEPTIONS; AMENDING SECTION 34-2301, IDAHO CODE, TO PROVIDE FOR RECOUNT OF BALLOTS FOR MUNICIPAL OFFICES; AMENDING SECTION 39-1324, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF HOSPITAL DISTRICTS SHALL BE CONDUCTED PURSUANT TO TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY BOARD OF COMMISSIONERS AND COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1325A, IDAHO CODE, TO REVISE DUTIES OF THE COUNTY CLERK AND COUNTY COMMISSIONERS, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-1330, IDAHO CODE, TO PROVIDE FOR BIENNIAL ELECTION OF HOSPITAL DISTRICT BOARD MEMBERS IN MAY, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1339, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PROPOSED INDEBTEDNESS TO BE INCURRED BY A HOSPITAL DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE; AMENDING SECTION 39-1340, IDAHO CODE, TO PROVIDE A DUTY OF THE COUNTY CLERK WITH REGARD TO NOTICES OF HOSPITAL DISTRICT ELECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1341, IDAHO

CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND COUNTY COMMISSIONERS IN CONDUCTING HOSPITAL DISTRICT ELECTIONS FOR PROPOSED INDEBTEDNESS IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 40-206, IDAHO CODE, TO REVISE REQUIREMENTS FOR PUBLICATION OF NOTICE; AMENDING SECTION 40-819, IDAHO CODE, TO REVISE HIGHWAY DISTRICT ELECTIONS TO BE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE HIGHWAY DISTRICT COMMISSIONERS AND THE COUNTY CLERK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-1101, IDAHO CODE, TO PROVIDE THAT HIGHWAY DISTRICT ELECTIONS TO AUTHORIZE BONDING SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1304, IDAHO CODE, TO PROVIDE THE DATE ON WHICH HIGHWAY DISTRICT COMMISSIONERS SHALL TAKE OFFICE; AMENDING SECTION 40-1305, IDAHO CODE, TO PROVIDE FOR ELECTION OF HIGHWAY DISTRICT COMMISSIONERS ON THE THIRD TUESDAY OF MAY IN ODD-NUMBERED YEARS, TO DELETE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1305A, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATION OF HIGHWAY DISTRICT ELECTIONS BY THE COUNTY CLERK AND TO PROVIDE FOR SELECTION OF POLLING PLACES BY THE COUNTY COMMISSIONERS; REPEALING SECTION 40-1402, IDAHO CODE, RELATING TO THE COSTS OF HOLDING SPECIAL ELECTIONS; AMENDING SECTION 40-1409, IDAHO CODE, TO PROVIDE THAT ELECTIONS SHALL BE PAID BY THE COUNTY WITHOUT PROVISION FOR PRORATING THE EXPENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1416, IDAHO CODE, TO PROVIDE THAT COSTS OF ELECTIONS HELD TO APPROVE A HIGHWAY DISTRICT VEHICLE REGISTRATION FEE SHALL BE PAID BY THE COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-1418, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-1506, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OF ELECTION JUDGES BY THE COUNTY CLERK; AMENDING SECTION 40-1507, IDAHO CODE, TO CLARIFY PROCEDURE FOR NOTICE OF ELECTION BY THE COUNTY CLERK AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1508, IDAHO CODE, TO CLARIFY PROCEDURE FOR HOLDING ELECTIONS OF CONSOLIDATION OF HIGHWAY DISTRICTS; AMENDING SECTION 40-1511, IDAHO CODE, TO CLARIFY PROCEDURE FOR COUNTING THE VOTES IN AN ELECTION OF CONSOLIDATION OF HIGHWAY DISTRICTS; AMENDING SECTION 40-1519, IDAHO CODE, TO PROVIDE THAT THE EXPENSES OF CONDUCTING AN ELECTION TO CONSOLIDATE HIGHWAY DISTRICTS SHALL BE PAID BY THE COUNTY WITHOUT PROVISION FOR PRORATING THE EXPENSE; AMENDING SECTION 40-1605, IDAHO CODE, TO REQUIRE THAT ELECTIONS BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1606, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN ELECTIONS TO DETACH TERRITORY OF A HIGHWAY DISTRICT; AMENDING SECTION 40-1607, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTIONS 40-1624 AND 40-1625, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO ANNEX

CONTIGUOUS TERRITORY OF A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1626, IDAHO CODE, TO PROVIDE THAT ELECTION DATES TO ANNEX TERRITORY OF A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1630, IDAHO CODE, TO PROVIDE THAT COSTS OF THE ELECTION SHALL BE PAID BY THE COUNTY OR COUNTIES CONDUCTING THE ELECTION; AMENDING SECTION 40-1702, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY BOARD OF CANVASSERS IN ELECTIONS TO REORGANIZE A COUNTY HIGHWAY DISTRICT AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-1714, IDAHO CODE, TO PROVIDE THAT THE EXPENSE OF ELECTIONS HELD TO REORGANIZE A COUNTY HIGHWAY DISTRICT SHALL BE PAID BY THE COUNTY; AMENDING SECTION 40-1805, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO DISSOLVE A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1806, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY COMMISSIONERS IN ELECTIONS HELD TO DISSOLVE A HIGHWAY DISTRICT; AMENDING SECTION 40-1808, IDAHO CODE, TO PROVIDE THAT IN ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT THE COUNTY CLERK SHALL APPOINT ELECTION JUDGES AND CLERKS AND THAT ELECTIONS SHALL BE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 40-1809, IDAHO CODE, TO PROVIDE FOR COUNTING AND CANVASSING VOTES IN ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT; AMENDING SECTION 40-1810, IDAHO CODE, TO PROVIDE THAT EXPENSES OF ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT SHALL BE BORNE BY THE COUNTY; AMENDING SECTION 42-3211, IDAHO CODE, TO PROVIDE THE DATE OF ELECTIONS IN WATER AND SEWER DISTRICTS AND TO PROVIDE DUTIES OF THE COUNTY CLERK; REPEALING SECTION 50-211, IDAHO CODE, RELATING TO SUPERVISION OF MUNICIPAL ELECTIONS; AMENDING SECTION 50-402, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-403, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK REGARDING MUNICIPAL ELECTIONS; REPEALING SECTIONS 50-404, 50-405, 50-406, 50-407, 50-408, 50-409, 50-410, 50-411 AND 50-412, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS AS CONDUCTED BY THE CITY CLERK; AMENDING SECTION 50-414, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE REGISTRATION PROVISIONS AND TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTIONS 50-415, 50-427 AND 50-428, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS; AMENDING SECTION 50-429, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE AUTHORIZED DATES FOR MUNICIPAL ELECTIONS BEGINNING JANUARY 1, 2011, TO PROVIDE THAT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTIONS 50-430 AND 50-431, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 50-432, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE A

CORRECT CODE REFERENCE; AMENDING SECTION 50-435, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTIONS 50-436, 50-437, 50-438, 50-439, 50-440, 50-441, 50-442, 50-443, 50-445, 50-446, 50-447, 50-448, 50-449, 50-450, 50-451, 50-452, 50-453, 50-454, 50-455, 50-456, 50-457, 50-458, 50-459, 50-460, 50-461, 50-462, 50-463, 50-464, 50-465 AND 50-466, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS AS CONDUCTED BY THE CITY CLERK; AMENDING SECTION 50-467, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-468, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTIONS 50-469 AND 50-470, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 50-471, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 50-472, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 50-473, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 50-474, IDAHO CODE, RELATING TO VOTING BY MACHINE OR VOTE TALLY SYSTEM IN MUNICIPAL ELECTIONS; AMENDING SECTION 50-475, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR APPLICATION OF ELECTION LAW VIOLATIONS TO ALL MUNICIPAL ELECTIONS; AMENDING SECTION 50-477, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 50-612, IDAHO CODE, TO PROVIDE THAT RUNOFF MUNICIPAL MAYORAL ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 50-707B, IDAHO CODE, TO PROVIDE THAT RUNOFF MUNICIPAL COUNCIL SEAT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 50-803, IDAHO CODE, TO PROVIDE AUTHORIZED DATES FOR HOLDING A MUNICIPAL ELECTION TO ADOPT THE COUNCIL-MANAGER PLAN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-806, IDAHO CODE, TO PROVIDE THAT CERTAIN ELECTIONS SHALL BE HELD AT THE SAME ELECTION, TO PROVIDE PROCEDURE UPON FAILURE OF A PROPOSITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-1026, IDAHO CODE, TO PROVIDE THAT MUNICIPAL ELECTIONS TO AUTHORIZE ISSUANCE OF COUPON BONDS SHALL BE CONDUCTED BY THE COUNTY CLERK ON AUTHORIZED DATES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-1035, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN CERTAIN MUNICIPAL ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2104, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CONSOLIDATE CITIES SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE; AMENDING SECTION 50-2105, IDAHO CODE, TO REVISE PROVISIONS FOR CONSOLIDATION ELECTIONS; AMENDING SECTION 50-2106, IDAHO CODE, TO PROVIDE FOR CERTIFICATION OF A MUNICIPAL CONSOLIDATION ELECTION BY THE COUNTY CLERK; AMENDING SECTION 50-2107, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF OFFICERS IN A NEWLY CONSOLIDATED CITY SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE; AMENDING SECTION 50-2114, IDAHO CODE, TO PROVIDE THAT EXPENSES OF A

MUNICIPAL CONSOLIDATION ELECTION SHALL BE PAID BY THE COUNTY; AMENDING SECTION 50-2201, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2202, IDAHO CODE, TO REVISE PROCEDURES; AMENDING SECTION 50-2203, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES IN ELECTIONS TO DISINCORPORATE A CITY; AMENDING SECTION 50-2204, IDAHO CODE, TO PROVIDE A DUTY OF THE COUNTY BOARD OF COMMISSIONERS IN AN ELECTION TO DISINCORPORATE A CITY; AMENDING SECTION 50-2302, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO ORGANIZE A CITY SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2303, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN AN ELECTION TO ORGANIZE A CITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2308, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 63-316, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-802C, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CREATE A NEW TAXING DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND TO PROVIDE FOR POSTING OF A BOND TO COVER COSTS OF THE ELECTION; AMENDING SECTION 63-1309, IDAHO CODE, TO PROVIDE THAT THE INTERVAL BETWEEN CERTAIN TYPES OF ELECTIONS IN WHICH THE QUESTION FIRST FAILED AND A SUBSEQUENT ELECTION ON THE SAME OR SIMILAR QUESTION SHALL BE FIVE MONTHS INSTEAD OF SIX MONTHS, TO PROVIDE THAT THE DATE OF SUCH ELECTION SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE MONETARY DISTRIBUTIONS TO COUNTIES FROM SALES TAX REVENUES TO DEFRAY EXPENSES OF COUNTIES IN CONDUCTING ELECTIONS, TO REQUIRE COUNTIES TO ESTABLISH A SPECIAL ELECTION FUND, TO SPECIFY USE OF REVENUES IN THE FUND, TO REVISE REVENUE SHARING PERCENTAGES GOING TO CITIES AND COUNTIES AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-3641, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 63-4103, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY COMMISSIONERS AND THE COUNTY CLERK IN ELECTIONS TO DISSOLVE A SPECIAL DISTRICT AND TO DELETE CODE REFERENCES; AMENDING SECTION 67-4907, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY BOARD OF CANVASSERS IN AUDITORIUM DISTRICT ELECTIONS; AMENDING SECTION 67-4911, IDAHO CODE, TO PROVIDE THAT THE BIENNIAL ELECTIONS OF AN AUDITORIUM DISTRICT SHALL BE HELD IN ODD-NUMBERED YEARS, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE BOARD OF COUNTY COMMISSIONERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4922, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF AUDITORIUM DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO PROVIDE CORRECT

TERMINOLOGY; AMENDING SECTION 67-4923, IDAHO CODE, TO PROVIDE THAT NOTICE OF AN AUDITORIUM DISTRICT ELECTION TO AUTHORIZE A LEVY SHALL BE CONDUCTED AS PRESCRIBED IN CHAPTER 14, TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-4924, IDAHO CODE, TO PROVIDE FOR CONDUCTING THE ELECTION AND CANVASSING THE RETURNS OF AN AUDITORIUM DISTRICT ELECTION; AMENDING SECTION 67-4929, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO INCLUDE OR EXCLUDE PROPERTY WITHIN AN AUDITORIUM DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4930, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO DISSOLVE AN AUDITORIUM DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 70-1210, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PORT DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO DELETE OBSOLETE PROVISIONS; AMENDING SECTION 70-1215, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PORT DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 70-1217, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY COMMISSIONERS AND THE COUNTY CLERK IN ELECTIONS OF PORT DISTRICTS; AMENDING SECTION 70-1219, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES IN ELECTIONS OF PORT DISTRICTS; AMENDING SECTION 70-1220, IDAHO CODE, TO PROVIDE FOR PAYMENT OF EXPENSES IN PORT DISTRICT ELECTIONS; PROVIDING SEVERABILITY; PROVIDING EFFECTIVE DATES AND PROVIDING FOR REPORTS.

HOUSE BILL NO. 373
BY WAYS AND MEANS COMMITTEE
 AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-521, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SEVERANCE PAYMENTS; AMENDING SECTION 33-1004G, IDAHO CODE, TO REVISE PROVISIONS RELATING TO AN EARLY RETIREMENT INCENTIVE; REPEALING SECTION 33-1004G, IDAHO CODE, RELATING TO AN EARLY RETIREMENT INCENTIVE; AMENDING SECTION 33-1004H, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EMPLOYING RETIRED TEACHERS AND ADMINISTRATORS; AMENDING SECTION 33-1004, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INSTRUCTIONAL STAFF ALLOWANCE; TO PROVIDE FOR ALTERNATIVE USES OF CERTAIN SCHOOL BUILDING MAINTENANCE FUNDS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1619, IDAHO CODE, TO PROVIDE THAT SCHOOL DISTRICTS MAY OFFER VIRTUAL SCHOOL INSTRUCTION, TO PROVIDE THAT SCHOOL DISTRICTS MAY OFFER A BLEND OF VIRTUAL AND TRADITIONAL INSTRUCTION AND TO PROVIDE FOR THE COUNTING AND REPORTING OF AVERAGE DAILY ATTENDANCE;

DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 372 and **H 373** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

April 29, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 31**, **H 372**, and **H 373**.

CLARK, Chairman

HCR 31, **H 372**, and **H 373** were filed for second reading.

April 29, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1232**, as amended, and recommend that it do pass.

STEVENSON, Chairman

S 1232, as amended, was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Nonini asked unanimous consent that **H 339** be returned to the Education Committee. There being no objection, it was so ordered.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 338** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 338** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 338** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 338** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 338** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 341** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 341** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 341** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 341** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti,

Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Burgoyne, Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Clark, Collins, Cronin, Moyle, Patrick, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 341** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 342** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 342** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 342** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 342** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 57.

NAYS – Boyle, Durst, Hagedorn, Harwood, Higgins, Schaefer, Wood(35). Total – 7.

Absent and excused – Clark, Collins, Cronin, Moyle, Patrick, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 342** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 343** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 343** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 343** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 343** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 56.

NAYS – Boyle, Durst, Hagedorn, Harwood, Higgins, Nielsen, Palmer, Schaefer, Wood(35). Total – 9.

Absent and excused – Black, Clark, Cronin, Patrick, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 343** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 344** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 344** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 344** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 344** pass?"

Roll call resulted as follows:

AYES – Anderson, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Killen, King, Kren, Labrador, McGeachin, Moyle, Nonini, Raybould, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Wills, Wood(27), Mr. Speaker. Total – 44.

NAYS – Andrus, Durst, Hagedorn, Harwood, Higgins, Jarvis, Lake, Loertscher, Luker, Marriott, Mathews, Nielsen, Palmer, Pasley-Stuart, Pence, Roberts, Schaefer, Shepherd(08), Simpson, Thayn, Thompson, Wood(35). Total – 22.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 344** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 345** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 345** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 345** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 345** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 56.

NAYS – Barrett, Boyle, Durst, Hagedorn, Hart, Harwood, Higgins, Palmer, Schaefer, Wood(35). Total – 10.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared that **H 345** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 346** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 346** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 346** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 346** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared that **H 346** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 347** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 347** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 347** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 347** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Marriott, Mathews, McGeachin, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02),

Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Wills, Wood(27), Mr. Speaker. Total – 50.

NAYS – Barrett, Boyle, Durst, Hagedorn, Hart, Harwood, Higgins, Lake, Loertscher, Luker, Nielsen, Palmer, Schaefer, Thayne, Thompson, Wood(35). Total – 16.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared that **H 347** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 348** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 348** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 348** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 348** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared that **H 348** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 349** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 349** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 349** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 349** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Mr. Speaker. Total – 56.

NAYS – Barrett, Boyle, Durst, Hagedorn, Harwood, Higgins, Loertscher, Palmer, Schaefer, Wood(35). Total – 10.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared that **H 349** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 350** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 350** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 350** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 350** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Clark, Cronin, Patrick, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 350** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 351** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 351** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi,

Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Durst, Hagedorn, Hart, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Clark, Cronin, Lake, Patrick, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 351** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 351** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Durst, Hagedorn, Hart, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Clark, Cronin, Lake, Patrick, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 351** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 352** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 352** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion

carried, the rules were suspended, and **H 352** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 352** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Wills, Wood(27), Mr. Speaker. Total – 54.

NAYS – Barrett, Durst, Hagedorn, Hart, Harwood, Higgins, Loertscher, Luker, Schaefer, Thayne, Wood(35). Total – 11.

Absent and excused – Clark, Cronin, Lake, Patrick, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 352** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 353** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 353** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 353** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 353** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4. Total – 70.

Whereupon the Speaker declared that **H 353** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 369** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 369** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 369** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 369** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley,

Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.
NAYS – None.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared that **H 369** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 371** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 371** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 371** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 371** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Burgoyne, Durst, Higgins. Total – 3.

Absent and excused – Clark, Cronin, Labrador, Patrick, Trail. Total – 5.
Total – 70.

Whereupon the Speaker declared that **H 371** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **S 1227** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1227** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1227** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **S 1227** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Raybould, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 45.

NAYS – Barrett, Boe, Burgoyne, Chavez, Chew, Durst, Hart, Harwood, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Schaefer, Smith(30), Wood(35). Total – 21.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared that **S 1227** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **HCR 31** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 31** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 31** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **HCR 31** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Chavez, Durst, Pasley-Stuart, Ringo, Smith(30). Total – 5.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared **HCR 31** adopted and ordered the resolution transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 372** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 372** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 372** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 372** pass?"

Roll call resulted as follows:

AYES – Anderson, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Raybould, Roberts, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

NAYS – Andrus, Burgoyne, Chavez, Chew, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Smith(30). Total – 15.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared that **H 372** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 373** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 373** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 373** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

Mr. Nonini asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 373**. There being no objection it was so ordered.

Pursuant to Rule 38(3), Mr. Sayler disclosed a conflict of interest regarding **H 373**.

Pursuant to Rule 38(3), Mr. Durst disclosed a conflict of interest regarding **H 373**.

The question being, "Shall **H 373** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 49.

NAYS – Boe, Burgoyne, Chavez, Chew, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Smith(30), Smith(24). Total – 17.

Absent and excused – Clark, Cronin, Patrick, Trail. Total – 4.
Total – 70.

Whereupon the Speaker declared that **H 373** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mrs. Bell asked unanimous consent that **H 370** be returned to the Appropriations Committee. There being no objection, it was so ordered.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1232**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1232**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1232**, as amended, was

read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

Mr. Wood(27) asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1232**, as amended. There being no objection it was so ordered.

The question being, "Shall **S 1232**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 47.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Smith(30), Smith(24), Trail, Wood(35). Total – 20.

Absent and excused – Clark, McGeachin, Patrick. Total – 3.

Paired Votes:

AYE – Jarvis

NAY – Trail

AYE – Harwood

NAY – Cronin

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1232**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 355** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 355** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 355** was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **H 355** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pence, Raybould, Ringo, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 49.

NAYS – Boe, Burgoyne, Chavez, Chew, Durst, Hart, Harwood, Higgins, Killen, King, Pasley-Stuart, Ruchti, Rusche, Saylor, Schaefer, Smith(30). Total – 16.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 355** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 356** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 356** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 356** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 356** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson,

Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Raybould, Ringo, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 49.

NAYS – Barrett, Boe, Burgoyne, Chavez, Chew, Durst, Higgins, Killen, King, Pasley-Stuart, Pence, Ruchti, Rusche, Saylor, Schaefer, Smith(30). Total – 16.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 356** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 357** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 357** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 357** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 357** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Raybould, Ringo, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 46.

NAYS – Barrett, Boe, Boyle, Burgoyne, Chavez, Chew, Durst, Higgins, Killen, King, Loertscher, Palmer, Pasley-Stuart, Pence, Ruchti, Rusche, Saylor, Schaefer, Smith(30). Total – 19.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Trail. Total – 5.
Total – 70.

Whereupon the Speaker declared that **H 357** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 358** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 358** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 358** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **H 358** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Raybould, Ringo, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 46.

NAYS – Barrett, Boe, Burgoyne, Chavez, Chew, Durst, Hart, Harwood, Higgins, Killen, King, Palmer, Pasley-Stuart, Pence, Ruchti, Rusche, Schaefer, Smith(30). Total – 18.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Roberts, Trail. Total – 6.
Total – 70.

Whereupon the Speaker declared that **H 358** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 359** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State

of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 359** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 359** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 359** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Raybould, Ringo, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 45.

NAYS – Barrett, Boe, Burgoyne, Chavez, Chew, Durst, Hart, Higgins, Killen, King, Palmer, Pasley-Stuart, Pence, Ruchti, Rusche, Sayler, Schaefer, Smith(30), Thayn. Total – 19.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Roberts, Trail. Total – 6.
Total – 70.

Whereupon the Speaker declared that **H 359** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 360** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 360** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 360** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 360** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nonini, Raybould, Ringo, Shepherd(02), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thompson, Wills, Wood(27), Mr. Speaker. Total – 41.

NAYS – Barrett, Boe, Burgoyne, Chavez, Chew, Durst, Harwood, Higgins, Killen, King, Loertscher, Nielsen, Palmer, Pasley-Stuart, Pence, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Smith(30), Thayn, Wood(35). Total – 23.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Roberts, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 360** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 361** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 361** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 361** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 361** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Raybould, Ringo, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 47.

NAYS – Boe, Burgoyne, Chavez, Chew, Durst, Hart, Harwood, Higgins, Killen, King, Palmer, Pasley-Stuart, Pence, Ruchti, Rusche, Sayler, Schaefer, Smith(30). Total – 18.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 361** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 362** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 362** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 362** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 362** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Raybould, Ringo, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 48.

NAYS – Boe, Burgoyne, Chavez, Chew, Durst, Harwood, Higgins, Killen, King, Pasley-Stuart, Pence, Ruchti, Rusche, Saylor, Schaefer, Smith(30). Total – 16.

Absent and excused – Clark, Crane, Cronin, McGeachin, Patrick, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 362** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 363** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 363** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 363** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 363** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Collins, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Jaquet, Jarvis, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, Moyle, Nonini, Raybould, Ringo, Shepherd(02), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Wills, Wood(27), Mr. Speaker. Total – 38.

NAYS – Barrett, Boe, Boyle, Burgoyne, Chavez, Chew, Durst, Harwood, Higgins, Killen, King, Lake, Nielsen, Palmer, Pasley-Stuart, Pence, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Smith(30), Thayn, Wood(35). Total – 25.

Absent and excused – Clark, Crane, Cronin, McGeachin, Patrick, Thompson, Trail. Total – 7.

Total – 70.

Whereupon the Speaker declared that **H 363** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 364** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 364** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 364** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 364** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Raybould, Ringo, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 47.

NAYS – Boe, Burgoyne, Chavez, Chew, Durst, Higgins, Killen, King, Pasley-Stuart, Pence, Ruchti, Rusche, Saylor, Schaefer, Smith(30). Total – 15.

Absent and excused – Clark, Cronin, Kren, Labrador, McGeachin, Patrick, Thompson, Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that **H 364** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 365** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 365** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 365** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 365** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Raybould, Ringo, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 47.

NAYS – Boe, Burgoyne, Chavez, Chew, Durst, Higgins, Killen, King, Pasley-Stuart, Pence, Ruchti, Rusche, Sayler, Schaefer, Smith(30). Total – 15.

Absent and excused – Clark, Cronin, Kren, McGeachin, Patrick, Roberts, Thompson, Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that **H 365** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 366** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 366** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 366** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 366** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Raybould, Ringo, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 49.

NAYS – Boe, Burgoyne, Chavez, Chew, Durst, Higgins, Killen, King, Pasley-Stuart, Pence, Ruchti, Rusche, Sayler, Schaefer, Smith(30). Total – 15.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Trail, Wood(35). Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 366** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 367** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 367** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30),

Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 367** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **H 367** pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Luker, Mathews, Moyle, Nielsen, Nonini, Raybould, Ringo, Roberts, Shepherd(02), Shirley, Smith(24), Stevenson, Takasugi, Thayn, Wills, Wood(27), Mr. Speaker. Total – 40.

NAYS – Andrus, Barrett, Boe, Boyle, Burgoyne, Chavez, Chew, Durst, Higgins, Killen, King, Loertscher, Marriott, Palmer, Pasley-Stuart, Pence, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Thompson. Total – 24.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Trail, Wood(35). Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 367** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 368** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 368** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 368** was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 368** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Raybould, Ringo, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 50.

NAYS – Boe, Burgoyne, Chavez, Chew, Durst, Higgins, Killen, King, Pasley-Stuart, Pence, Ruchti, Rusche, Saylor, Smith(30). Total – 14.

Absent and excused – Clark, Cronin, McGeachin, Patrick, Trail, Wood(35). Total – 6.

Total – 70.

Whereupon the Speaker declared that **H 368** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1112**, as amended, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1112**, as amended, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Labrador, Patrick, Ruchti, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1112**, as amended, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Saylor to open debate.

Pursuant to Rule 38(3), Mr. Simpson disclosed a conflict of interest regarding **S 1112**, as amended, as amended in the House.

The question being, "Shall **S 1112**, as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 61.

NAYS – Andrus, Barrett, Roberts, Shepherd(08), Wood(35). Total – 5.

Absent and excused – Clark, Hart, Patrick, Trail. Total – 4.

Paired Votes:

AYE – Cronin	NAY – Roberts
AYE – McGeachin	NAY – Wood(35)

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1112**, as amended, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 334 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 334** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Collins, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Wills, Wood(27), Mr. Speaker. Total – 52.

NAYS – Barrett, Bayer, Boyle, Burgoyne, Crane, Harwood, Loertscher, Mathews, McGeachin, Nielsen, Schaefer, Simpson, Thompson. Total – 13.

Absent and excused – Clark, Cronin, Hart, Trail, Wood(35). Total – 5.

Paired Votes:

AYE – Patrick	NAY – Schaefer
AYE – Wills	NAY – McGeachin

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 334** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1166, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

Pursuant to Rule 38(3), Mr. Black disclosed a conflict of interest regarding **S 1166**, as amended.

Pursuant to Rule 38(3), Mr. Burgoyne disclosed a conflict of interest regarding **S 1166**, as amended.

Pursuant to Rule 38(3), Mr. Takasugi disclosed a conflict of interest regarding **S 1166**, as amended.

Pursuant to Rule 38(3), Mr. Luker disclosed a conflict of interest regarding **S 1166**, as amended.

The question being, "Shall **S 1166**, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pence, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 50.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Ringo, Ruchti, Rusche, Sayler, Smith(24). Total – 16.

Absent and excused – Hart, McGeachin, Patrick, Trail. Total – 4.

Paired Votes:

AYE – Clark	NAY – Cronin
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(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **S 1166**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bill on the Third Reading Calendar be held. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that committees be appointed by the Speaker to notify the Governor and the Senate that the House is ready to adjourn Sine Die. There being no objection, it was so ordered.

The Speaker appointed Representatives Lake, Harwood, and Pence to notify the Governor and Representatives Shirley, Wills, and Killen to notify the Senate. The committees were excused.

The committee appointed to notify the Governor reported that it had delivered the message to the Governor. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate reported that they had delivered the message to the Senate. The committee was thanked and discharged by the Speaker.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House of Representatives of the First Regular Session of the Sixtieth Legislature of the State of

Idaho adjourn Sine Die. Objected by Mr. Rusche. Motion carried by voice vote.

Whereupon the Speaker declared the motion carried and the House of Representatives of the First Regular Session of the Sixtieth Legislature adjourned Sine Die at 8:50 p.m. April 29, 2009.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

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Note: The following actions were recorded after House Sine Die:

April 29, 2009

Mr. Speaker:

I return herewith **H 323, H 324, H 325, H 326, H 327, H 199, and H 311** which have passed the Senate.

WOOD, Secretary

H 323, H 324, H 325, H 326, H 327, H 199, and H 311 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 30, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 323, H 324, H 325, H 326, H 327, H 199, and H 311**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 323, H 324, H 325, H 326, H 327, H 199, and H 311** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 30, 2009

Mr. Speaker:

I return herewith enrolled **H 323, H 324, H 325, H 326, H 327, H 199, and H 311** which have been signed by the President.

WOOD, Secretary

Enrolled **H 323, H 324, H 325, H 326, H 327, H 199, and H 311** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 30, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 323, H 324, H 325, H 326, H 327, H 199, and H 311** to the Governor at 4:53 p.m., as of this date, April 30, 2009.

CLARK, Chairman

April 29, 2009

Mr. Speaker:

I return herewith enrolled **H 262**, as amended in the Senate, and **H 256**, as amended in the Senate, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 262**, as amended in the Senate, and **H 256**, as amended in the Senate, as amended in the Senate, were referred to

the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 30, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 262**, as amended in the Senate, and **H 256**, as amended in the Senate, as amended in the Senate, to the Governor at 10:05 a.m., as of this date, April 30, 2009.

CLARK, Chairman

April 30, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1216** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1216** and, when so signed, ordered it returned to the Senate.

April 30, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1112**, as amended, as amended in the House, **S 1166**, as amended, **S 1227**, and **S 1232**, as amended, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1112**, as amended, as amended in the House, **S 1166**, as amended, **S 1227**, and **S 1232**, as amended, and, when so signed, ordered them returned to the Senate.

OFFICE OF THE GOVERNOR
Boise

April 30, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 308, H 309, H 310, H 314, H 315, H 316, H 317, H 318, H 319, H 320, H 321, and H 322

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

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HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**ONE HUNDRED THIRTEENTH LEGISLATIVE DAY
MONDAY, MAY 4, 2009**

House of Representatives

The House convened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 61 members present.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Taleesha Willie, Page.

Approval of Journal

May 4, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Eighth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

May 1, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 287, H 299, H 301, H 302, H 311, H 323, H 324, H 325, H 326, and H 327

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

April 30, 2009

Mr. Speaker:

I transmit herewith **S 1234, S 1237, S 1238, S 1240, S 1241, S 1242, S 1243, and S 1244** which have passed the Senate.

WOOD, Secretary

S 1234, S 1237, S 1238, S 1240, S 1241, S 1242, S 1243, and S 1244 were filed for first reading.

May 4, 2009

Mr. Speaker:

I return herewith **H 371, H 335, H 330, H 332, H 331, H 333, H 342, H 343, H 344, H 345, H 346, H 347, H 348, H 349, H 350, H 351, H 352, and H 353** which have passed the Senate.

WOOD, Secretary

H 371, H 335, H 330, H 332, H 331, H 333, H 342, H 343, H 344, H 345, H 346, H 347, H 348, H 349, H 350, H 351, H 352, and H 353 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

May 4, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 371, H 335, H 330, H 332, H 331, H 333, H 342, H 343, H 344, H 345, H 346, H 347, H 348, H 349, H 350, H 351, H 352, and H 353**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 371, H 335, H 330, H 332, H 331, H 333, H 342, H 343, H 344, H 345, H 346, H 347, H 348, H 349, H 350, H 351, H 352, and H 353** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1234, S 1237, S 1238, S 1240, S 1241, S 1242, S 1243, and S 1244, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1152 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thayne to open debate.

The question being, "Shall **S 1152** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – None.

Absent and excused – Anderson, Boe, Boyle, Crane, Durst, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 10.
Total – 70.

Whereupon the Speaker declared that **S 1152** passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1234** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1234** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1234** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1234** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Barrett, Clark, Durst, Schaefer, Thayn. Total – 5.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, Harwood, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that **S 1234** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1237** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be

dispensed with, this being a case of urgency; and that **S 1237** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1237** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1237** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Wills, Wood(27), Mr. Speaker. Total – 54.

NAYS – Barrett, Durst, Palmer, Schaefer, Thayn, Wood(35). Total – 6.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, Harwood, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that **S 1237** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1238** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1238** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark,

Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1238** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1238** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Durst, Schaefer. Total – 2.

Absent and excused – Anderson, Boe, Boyle, Hart, Harwood, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9.

Total – 70.

Whereupon the Speaker declared that **S 1238** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1240** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1240** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1240** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1240** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Clark, Durst, Schaefer. Total – 3.

Absent and excused – Anderson, Boe, Boyle, Hart, Harwood, Lake, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that **S 1240** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1241** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1241** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1241** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1241** pass?"

Roll call resulted as follows:

AYES – Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Wills, Wood(27), Mr. Speaker. Total – 48.

NAYS – Andrus, Barrett, Clark, Durst, Loertscher, Marriott, Mathews, Nielsen, Schaefer, Simpson, Thompson, Wood(35). Total – 12.

Absent and excused – Anderson, Boe, Boyle, Hart, Harwood, Lake, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 10. Total – 70.

Whereupon the Speaker declared that **S 1241** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1242** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1242** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9. Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1242** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1242** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Barrett, Clark, Durst, Harwood, Loertscher, Schaefer, Thayn. Total – 7.

Absent and excused – Anderson, Boe, Boyle, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 8. Total – 70.

Whereupon the Speaker declared that **S 1242** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1243** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1243** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9. Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1243** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1243** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Barrett, Durst, Harwood, Schaefer. Total – 4.

Absent and excused – Anderson, Boe, Boyle, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 8. Total – 70.

Whereupon the Speaker declared that **S 1243** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1244** be suspended; that the

portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1244** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Boyle, Crane, Hart, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1244** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1244** pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Barrett, Durst, Schaefer. Total – 3.

Absent and excused – Anderson, Boe, Boyle, Hart, Labrador, McGeachin, Shepherd(02), Shepherd(08), Trail. Total – 9.

Total – 70.

Whereupon the Speaker declared that **S 1244** passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 1:30 p.m., Tuesday, May 5, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:04 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDRED FOURTEENTH LEGISLATIVE DAY
TUESDAY, MAY 5, 2009

House of Representatives

The House convened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 60 members present.

Absent and excused – Anderson, Boe, Boyle, Eskridge, Henderson, Saylor, Shepherd(02), Shepherd(08), Smith(24), Trail. Total – 10.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

Approval of Journal

May 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Thirteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

May 4, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 187, as amended in the Senate, **H 195**, **H 198**, as amended, **H 218**, as amended in the Senate, **H 258**, as amended in the Senate, and **H 267**, as amended in the Senate

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

May 5, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1152**, **S 1234**, **S 1237**, **S 1238**, **S 1240**, **S 1241**, **S 1242**, **S 1243**, and **S 1244** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1152**, **S 1234**, **S 1237**, **S 1238**, **S 1240**, **S 1241**, **S 1242**, **S 1243**, and **S 1244** and, when so signed, ordered them returned to the Senate.

May 5, 2009

Mr. Speaker:

I return herewith enrolled **H 330**, **H 331**, **H 332**, **H 333**, **H 335**, **H 342**, **H 343**, **H 344**, **H 345**, **H 346**, **H 347**, **H 348**, **H 349**, **H 350**, **H 351**, **H 352**, **H 353**, and **H 371** which have been signed by the President.

WOOD, Secretary

Enrolled **H 330**, **H 331**, **H 332**, **H 333**, **H 335**, **H 342**, **H 343**, **H 344**, **H 345**, **H 346**, **H 347**, **H 348**, **H 349**, **H 350**, **H 351**, **H 352**, **H 353**, and **H 371** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

May 5, 2009

Mr. Speaker:

I transmit herewith **S 1233** which has passed the Senate.

WOOD, Secretary

S 1233 was filed for first reading.

May 5, 2009

Mr. Speaker:

I return herewith **H 341** which has passed the Senate.

WOOD, Secretary

H 341 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

May 5, 2009

Mr. Speaker:

I return herewith **H 372**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 372, as amended in the Senate, was ordered held at the Desk.

Mr. Lake asked unanimous consent that the House concur in the Senate amendments to **H 372**, as amended in the Senate. There being no objection, it was so ordered.

H 372, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

May 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 341**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 341** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

May 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 372**, as amended in the Senate.

CLARK, Chairman

H 372, as amended in the Senate, was filed for first reading of engrossed bills.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1233, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 372, as amended in the Senate, by Ways and Means Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1233** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1233** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Durst, Thayn. Total – 2.

Absent and excused – Anderson, Boe, Boyle, Eskridge, Henderson, Sayler, Shepherd(02), Shepherd(08), Smith(24), Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1233** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1233** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark,

Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – None.

Absent and excused – Anderson, Boe, Boyle, Eskridge, Henderson, Sayler, Shepherd(02), Shepherd(08), Smith(24), Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that **S 1233** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 372**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 372**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Durst, Thayn. Total – 2.

Absent and excused – Anderson, Boe, Boyle, Eskridge, Henderson, Sayler, Shepherd(02), Shepherd(08), Smith(24), Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 372**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 372**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Schaefer, Shepherd(02), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 48.

NAYS – Andrus, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Ringo, Ruchti, Rusche, Smith(30), Trail. Total – 16.

Absent and excused – Boe, Boyle, Henderson, Saylor, Shepherd(08), Smith(24). Total – 6.

Paired Votes:

AYE – Shepherd(02)

NAY – Ruchti

AYE – Eskridge

NAY – Jaquet

AYE – Anderson

NAY – Pasley-Stuart

AYE – Raybould

NAY – Trail

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared **H 372**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, May 6, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:58 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**ONE HUNDRED FIFTEENTH LEGISLATIVE DAY
WEDNESDAY, MAY 6, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 59 members present.

Absent and excused – Anderson, Boe, Boyle, Clark, Lake, Nielsen, Roberts, Shepherd(02), Shepherd(08), Smith(24), Trail. Total – 11.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

Approval of Journal

May 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Fourteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

May 5, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 256, as amended in the Senate, as amended in the Senate, and **H 262**, as amended in the Senate

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

Report of Standing Committees

May 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 372**, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 372**, as amended in the Senate, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

May 5, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 330**, **H 331**, **H 332**, **H 333**, **H 335**, **H 342**, **H 343**, **H 344**, **H 345**, **H 346**, **H 347**, **H 348**, **H 349**, **H 350**, **H 351**, **H 352**, **H 353**, and **H 371** to the Governor at 2:10 p.m., as of this date, May 5, 2009.

CLARK, Chairman

Mr. Moyle moved that the House recess until the call of the Chair. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until the call of the Chair.

RECESS
Afternoon Session

The House reconvened at 3:10 p.m., the Speaker in the Chair.

Roll call showed 61 members present.

Absent and excused – Anderson, Boe, Boyle, Clark, Lake, Shepherd(02), Shepherd(08), Smith(24), Trail. Total – 9.

Total – 70.

Prior to recess, the House was at the Fifth Order of Business.

Report of Standing Committees

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

May 6, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 199

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

May 6, 2009

Mr. Speaker:

I return herewith enrolled **H 341** which has been signed by the President.

WOOD, Secretary

Enrolled **H 341** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, May 7, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:15 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**ONE HUNDRED SIXTEENTH LEGISLATIVE DAY
THURSDAY, MAY 7, 2009**

House of Representatives

The House convened at 10 a.m., Mr. Moyle in the Chair.

Roll call showed 62 members present.

Absent and excused – Boe, Clark, Higgins, Ringo, Shepherd(02), Shepherd(08), Trail, Mr. Speaker. Total – 8.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

Approval of Journal

May 7, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Fifteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

May 6, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1233** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced the Speaker was about to sign enrolled **S 1233** and, when so signed, ordered it returned to the Senate.

May 6, 2009

Mr. Speaker:

I return herewith enrolled **H 372**, as amended in the Senate, which has been signed by the President.

WOOD, Secretary

Enrolled **H 372**, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

May 7, 2009

Mr. Speaker:

I transmit herewith **S 1246** which has passed the Senate.

WOOD, Secretary

S 1246 was filed for first reading.

May 7, 2009

Mr. Speaker:

I return herewith **H 226** and **H 334** which have passed the Senate.

WOOD, Secretary

H 226 and **H 334** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

May 6, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 341** to the Governor at 3:20 p.m., as of this date, May 6, 2009.

CLARK, Chairman

May 6, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 211** and recommend that it do pass.

NONINI, Chairman

H 211 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 32 BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE ESTABLISHMENT OF A TASK FORCE TO UNDERTAKE AND COMPLETE A STUDY TO IDENTIFY ALTERNATIVE DEDICATED FUNDING SOURCES FOR THE IDAHO STATE POLICE AND FOR THE IDAHO DEPARTMENT OF PARKS AND RECREATION ON AN ONGOING BASIS AND TO SUBMIT FINDINGS AND ANY PROPOSED LEGISLATION TO THE SECOND REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, transportation funding was an important issue in the 2009 Legislative Session and one of the sources to fund transportation in future years will shift funds away from the Idaho State Police and the Idaho Department of Parks and Recreation; and

WHEREAS, the issue of funding to the Idaho State Police and the Idaho Department of Parks and Recreation is of continued concern to the state of Idaho and a task force could identify alternative dedicated funding sources for the Idaho State Police and for the Idaho Department of Parks and Recreation on an ongoing basis to offset those funds shifted away from the Idaho State Police and the Idaho Department of Parks and Recreation to fund transportation and could submit proposed legislation to the Second Regular Session of the Sixtieth Idaho Legislature.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that a task force shall be established to undertake and complete a study to identify alternative dedicated funding sources for the Idaho State Police and for the Idaho Department of Parks and

Recreation on an ongoing basis to offset those funds shifted away from the Idaho State Police and the Idaho Department of Parks and Recreation to fund transportation.

BE IT FURTHER RESOLVED that the Speaker of the House of Representatives shall appoint three members from the House of Representatives to serve on the task force and the President Pro Tempore of the Senate shall appoint three members from the Senate to serve on the task force. In addition, the cochairs of the Joint Finance-Appropriations Committee shall serve as the cochairs of the task force. The task force shall be authorized to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the task force shall be dissolved on February 1, 2010. Prior to dissolution, the task force shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixtieth Idaho Legislature.

**HOUSE CONCURRENT RESOLUTION NO. 33
BY WAYS AND MEANS COMMITTEE**

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND SUPPORT FOR A GUBERNATORIAL TASK FORCE TO CONSIDER BOTH TRADITIONAL AND NONTRADITIONAL SOURCES OF REVENUE FOR THE MAINTENANCE AND PRESERVATION OF HIGHWAYS AND BRIDGES INCLUDING, BUT NOT LIMITED TO, POSSIBLE REVISIONS TO THE RATES, METHODS AND MANNER OF CALCULATING ANY AND ALL TAXES, FEES AND REGISTRATIONS RELATING TO FUELS AND MOTOR VEHICLES AND MOTOR CARRIERS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, it is undeniable that a reliable, resilient and effective transportation system is essential for public safety and the states long-term economic health; and

WHEREAS, current funding will not keep pace with increasing costs to maintain and preserve Idahos highways and bridges; and

WHEREAS, this revenue shortfall in funding is caused by a growing need for preservation and restoration of the state highway system made even more dire by the eventual need to preserve and restore capacity projects already programmed; and

WHEREAS, the state must identify additional revenues for the maintenance and preservation of its highways and bridges to protect our existing infrastructure; and

WHEREAS, a recent legislative audit determined that a proposed revenue enhancement of \$240 million a year is merited and may even be understated; and

WHEREAS, increased funding will facilitate efficiency by allowing for better planning and help the state avoid costly federal mandates.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that a gubernatorial task force is appropriate to consider both traditional and nontraditional sources of revenue for the maintenance and preservation of highways and bridges including, but not limited to, possible revisions to the rates, methods and manner of calculating any and all taxes, fees and registrations relating to fuels and motor vehicles and motor carriers.

BE IT FURTHER RESOLVED that the Idaho Legislature supports and will participate in the gubernatorial task force

consisting of fifteen members and including five members from the Idaho Senate and five members from the Idaho House of Representatives.

BE IT FURTHER RESOLVED that the Idaho Legislature shall receive and consider reports and findings, recommendations and proposed legislation, if any, from the gubernatorial task force during the Second Regular Session of the Sixtieth Idaho Legislature.

HCR 32 and **HCR 33** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 374
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO EDUCATION; REPEALING SECTION 4, HOUSE BILL NO. 303, AS AMENDED IN THE SENATE, AS AMENDED IN THE SENATE, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE; REPEALING SECTION 33-1004, IDAHO CODE, AS ENACTED BY SECTION 5, HOUSE BILL NO. 303, AS AMENDED IN THE SENATE, AS AMENDED IN THE SENATE, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE; AND AMENDING SECTION 6, HOUSE BILL NO. 303, AS AMENDED IN THE SENATE, AS AMENDED IN THE SENATE, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE.

**HOUSE BILL NO. 375
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO ROADS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE DISTRIBUTIONS FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO REVISE A CODE REFERENCE; AMENDING SECTION 41-4910, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING SECTION 63-2412, IDAHO CODE, TO REVISE DISTRIBUTIONS OF TAX REVENUES FROM THE TAX ON GASOLINE AND AIRCRAFT ENGINE FUEL; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

H 374 and **H 375** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1246, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

May 7, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 32**, **HCR 33**, **H 374**, and **H 375**.

CLARK, Chairman

Whereupon the Speaker Pro Tem declared that **H 374** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Roberts asked unanimous consent that **HCR 33** and **H 375** be returned to the Ways and Means Committee. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

May 7, 2009

Mr. Speaker:

I transmit herewith **S 1235**, **S 1239**, and **S 1225** which have passed the Senate.

WOOD, Secretary

S 1235, **S 1239**, and **S 1225** were filed for first reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1235, **S 1239**, and **S 1225**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

Mr. Bedke moved that the House recess until the call of the Chair. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until the call of the Chair.

RECESS Afternoon Session

The House reconvened at 3:15 p.m., the Speaker in the Chair.

Roll call showed 62 members present.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Prior to recess, the House was at the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

May 7, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 226** and **H 334**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 226** and **H 334** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

May 7, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 372**, as amended in the Senate, to the Governor at 1:50 p.m., as of this date, May 7, 2009.

CLARK, Chairman

May 7, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1130** and recommend that it do pass.

WOOD, Chairman

S 1130 was filed for second reading.

May 7, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1182**, as amended, and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

S 1182, as amended, was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 376 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO ROADS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE DISTRIBUTIONS FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO REVISE A CODE REFERENCE; AMENDING SECTION 41-4910, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING SECTION 63-2412, IDAHO CODE, TO REVISE DISTRIBUTIONS OF TAX REVENUES FROM THE TAX ON GASOLINE AND AIRCRAFT ENGINE FUEL; AMENDING SECTION 67-2914, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE IDAHO LAW ENFORCEMENT FUND; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

H 376 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

May 7, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 376**.

CLARK, Chairman

H 376 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 211** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 211** be

read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Clark, Crane, Higgins, Ringo, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 11.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 211** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

Mr. Shirley asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 211**. There being no objection it was so ordered.

The question being, "Shall **H 211** pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – None.

Absent and excused – Anderson, Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Stevenson, Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that **H 211** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1130** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1130** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Clark, Crane, Higgins, Ringo, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 11.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1130** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1130** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Thayne, Thompson, Wills, Wood(27), Mr. Speaker. Total – 57.

NAYS – Barrett, Takasugi, Wood(35). Total – 3.

Absent and excused – Boe, Clark, Higgins, Moyle, Ringo, Schaefer, Shepherd(02), Shepherd(08), Stevenson, Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that **S 1130** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **H 376** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 376** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Shirley,

Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.
 NAYS – Durst. Total – 1.

Absent and excused – Anderson, Boe, Clark, Crane, Higgins, Ringo, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 11.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 376** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 376** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Killen, Kren, Labrador, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Roberts, Ruchti, Rusche, Shepherd(02), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 46.

NAYS – Barrett, Burgoyne, Chavez, Chew, Cronin, Durst, Harwood, Jaquet, Jarvis, King, Lake, Loertscher, Marriott, Pence, Ringo, Sayler, Smith(30), Smith(24). Total – 18.

Absent and excused – Boe, Clark, Higgins, Schaefer, Shepherd(08), Trail. Total – 6.

Paired Votes:

AYE – Shepherd(02) NAY – Chavez

AYE – Rusche NAY – Ringo

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that **H 376** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until the call of the Chair. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until the call of the Chair.

RECESS Afternoon Session

The House reconvened at 5:50 p.m., the Speaker in the Chair.

Roll call showed 62 members present.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Prior to recess, the House was at the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 34

BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND SUPPORT
 FOR A GUBERNATORIAL TASK FORCE TO CONSIDER
 BOTH TRADITIONAL AND NONTRADITIONAL

SOURCES OF REVENUE FOR THE MAINTENANCE AND PRESERVATION OF HIGHWAYS AND BRIDGES INCLUDING, BUT NOT LIMITED TO, POSSIBLE REVISIONS TO THE RATES, METHODS AND MANNER OF CALCULATING ANY AND ALL TAXES, FEES AND REGISTRATIONS RELATING TO FUELS AND MOTOR VEHICLES AND MOTOR CARRIERS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Transportation Department (ITD) has responsibility for approximately 5,000 centerline miles of highway and nearly 1,760 bridges in Idaho; and

WHEREAS, a recent legislative audit found that current funding for transportation cannot keep pace with the growth in costs to meet Idaho's basic transportation needs of preserving and restoring Idaho's highways and bridges; and

WHEREAS, there exists a need for adequate funding to pay for financing costs and the growing need for preservation and restoration of the state highway system; and

WHEREAS, it is undeniable that a reliable, resilient and effective transportation system is essential to the state's long-term growth; and

WHEREAS, the current transportation revenue structure will not meet the pressing transportation funding needs over the next 30 years; and

WHEREAS, transportation is not just a state problem but rather, it transcends all levels of government in Idaho with almost 300 jurisdictions having some role in the state's transportation network, such that transportation funding needs must be addressed at all levels of government and jurisdictions; and

WHEREAS, federal funding cannot be relied upon to solve Idaho's transportation funding challenges; and

WHEREAS, Idaho's transportation funding must be addressed in a manner that is comprehensive and takes into full account changing fuel consumption patterns; and

WHEREAS, solutions to Idaho's transportation funding challenge will require innovative and perhaps nontraditional revenue sources; and

WHEREAS, a review of such issues should be done in a measured, deliberative manner, providing a wide array of policy options to move transportation funding forward for Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that a gubernatorial task force is appropriate to consider both traditional and nontraditional sources of revenue for the maintenance and preservation of highways and bridges including, but not limited to, possible revisions to the rates, methods and manner of calculating any and all taxes, fees and registrations relating to fuels and motor vehicles and motor carriers.

BE IT FURTHER RESOLVED that the Idaho Legislature supports and will participate in the gubernatorial task force consisting of a total of fifteen members including five members from the Idaho Senate and five members from the Idaho House of Representatives.

BE IT FURTHER RESOLVED that the Idaho Legislature shall receive and consider reports and findings, recommendations and proposed legislation, if any, from the gubernatorial task force during the Second Regular Session of the Sixtieth Idaho Legislature.

HCR 34 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 377
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE
IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL
YEAR 2010.

**HOUSE BILL NO. 378
BY APPROPRIATIONS COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION FOR THE
PUBLIC SCHOOLS DIVISION OF OPERATIONS;
AMENDING SECTION 4, CHAPTER 170, LAWS OF
2009, TO REDUCE THE APPROPRIATION FROM
THE AMERICAN REINVESTMENT FUNDS AND
INCREASES THE APPROPRIATION FROM THE PUBLIC
EDUCATION STABILIZATION FUND; AMENDING
SECTION 5, CHAPTER 170, LAWS OF 2009, TO TRANSFER
DEDICATED FUNDING TO THE PUBLIC SCHOOL
INCOME FUND; AMENDING SECTION 1, CHAPTER 272,
LAWS OF 2009, APPROPRIATING ADDITIONAL MONEYS
FROM THE AMERICAN REINVESTMENT FUND AND
REDUCING THE APPROPRIATION FROM THE GENERAL
FUND; AMENDING SECTION 2, CHAPTER 272, LAWS
OF 2009, TO TRANSFER DEDICATED FUNDING TO THE
PUBLIC SCHOOL INCOME FUND; APPROPRIATING AND
TRANSFERRING GENERAL FUND MONEYS TO THE
PUBLIC EDUCATION STABILIZATION FUND FOR FISCAL
YEAR 2010; AND DECLARING AN EMERGENCY.

H 377 and **H 378** were introduced, read the first time by
title, and referred to the Judiciary, Rules, and Administration
Committee for printing.

There being no objection, the House returned to the Fourth
Order of Business.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

May 7, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and
am transmitting to the Secretary of State the following House
Bills, to wit:

**H 330, H 331, H 332, H 333, H 335, H 341, H 342, H 343,
H 347, H 348, H 349, H 350, H 351, H 352, H 353, and H 371**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

May 7, 2009

Mr. Speaker:

I return herewith enrolled **H 226** and **H 334** which have been
signed by the President.

WOOD, Secretary

Enrolled **H 226** and **H 334** were referred to the Judiciary,
Rules, and Administration Committee for delivery to the
Governor.

Report of Standing Committees

May 7, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have printed **HCR 34**,
H 377, and **H 378**.

CLARK, Chairman

HCR 34, H 377, and H 378 were filed for second reading.

There being no objection, the House advanced to the Seventh
Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with
the immediate consideration of **S 1246** be suspended; that the
portions of Section 15, Article 3 of the Constitution of the State
of Idaho, requiring all bills to be read on three several days be
dispensed with, this being a case of urgency; and that **S 1246** be
read the first time by title, second time by title, and third time at
length, section by section, and placed before the House for final
consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell,
Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon,
Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs,
Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet,
Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker,
Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini,
Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts,
Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24),
Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27),
Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst. Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer,
Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that more than two-thirds
of the membership having voted in the affirmative, the motion
carried, the rules were suspended, and **S 1246** was read the first
time by title, second time by title, and third time at length, section
by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open
debate.

The question being, "Shall **S 1246** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell,
Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon,
Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge,
Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet,
Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker,
Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini,
Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts,
Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24),

Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that **S 1246** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1235** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1235** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst. Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1235** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1235** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst. Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that **S 1235** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1239** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1239** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst. Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1239** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1239** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Durst, Hart. Total – 2.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that **S 1239** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1225** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1225** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rucht, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst. Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total = 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1225** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall S 1225 pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35). Mr. Speaker. Total – 61.

NAYS – Kren. Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total = 70.

Whereupon the Speaker declared that **S 1225** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HCR 34** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 34** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchtii, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24),

Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27),
Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst. Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total = 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 34** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **HCR 34** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 56.

NAYS – Barrett, Burgoyne, Harwood, Lake, Loertscher, Marriott, Schaefer. Total – 7.

Absent and excused – Boe, Clark, Higgins, Ringo, Shepherd(02), Shepherd(08), Trail. Total – 7.

Paired Votes:

AYE – Nonini NAY – Schaefer

(Pairs enumerated in roll call above.)

Total = 70.

Whereupon the Speaker declared **HCR 34** adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 377** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 377** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst, Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total = 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion

carried, the rules were suspended, and **H 377** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **H 377** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Barrett. Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that **H 377** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 378** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 378** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst. Total – 1.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 378** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 378** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Sayler, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Boe, Clark, Higgins, Ringo, Schaefer, Shepherd(02), Shepherd(08), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that **H 378** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

May 7, 2009

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1150** and **S 1182**, as amended, and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO S.B. NO. 1150

AMENDMENT TO SECTION 3

On page 2 of the printed bill, in line 40, delete "first class" and insert: "certified"; in line 41, delete "officer" and insert: "agency"; on page 3, in line 5, delete "certified" and insert: "certified"; and in line 6, delete "first class".

AMENDMENT TO SECTION 5

On page 4, in line 4, delete "certifiedfirst class" and insert: "certified".

AMENDMENT TO SECTION 8

On page 5, in line 17, delete "certifiedfirst class" and insert: "certified"; and in line 33, delete "certifiedfirst class" and insert: "certified".

AMENDMENT TO SECTION 10

On page 6, in line 43, delete "certifiedfirst class" and insert: "certified".

CORRECTIONS TO TITLE

On page 1, in line 8, delete "OFFICER" and insert: "AGENCY"; in line 15, following "REFERENCE," insert:

"AND"; in line 16, delete "AND TO REVISE PROVISIONS RELATING"; and in line 17, delete "TO NOTICE".

HOUSE AMENDMENT TO S.B. NO. 1150

AMENDMENT TO SECTION 3

On page 2 of the printed bill, in line 38, delete "twenty-four (24) hours" and insert: "five (5) working days"; in line 39, following "contacted" insert: "within such five (5) working days".

HOUSE AMENDMENT TO S.B. NO. 1182, As Amended

AMENDMENT TO SECTION 2

On page 3 of the engrossed bill, in line 6, following "49-402C." insert: "MOTOR VEHICLES –".

AMENDMENT TO SECTION 3

On page 4, in line 4, following "49-402D." insert: "MOTOR VEHICLES –"; and on page 5, delete lines 10 through 19.

We have also had under consideration **S 1137**, report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the reported be adopted. Seconded by Mr. Moyle.

Whereupon the Speaker declared the report adopted.

S 1150, as amended in the House, and **S 1182**, as amended, as amended in the House, were filed for first reading.

S 1137 was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Friday, May 8, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 6:36 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDRED SEVENTEENTH LEGISLATIVE DAY
FRIDAY, MAY 8, 2009

House of Representatives

The House convened at 10 a.m., Mr. Moyle in the Chair.

Roll call showed 58 members present.

Absent and excused – Boe, Clark, Hart, Higgins, Kren, Ringo, Ruchti, Shepherd(02), Shepherd(08), Smith(24), Trail, Wills. Total – 12.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

Approval of Journal

May 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Sixteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

May 7, 2009

Mr. Speaker:

I transmit herewith enrolled S 1130 for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced the Speaker was about to sign enrolled S 1130 and, when so signed, ordered it returned to the Senate.

May 7, 2009

Mr. Speaker:

I return herewith H 275 which has passed the Senate.

WOOD, Secretary

H 275 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

May 7, 2009

Mr. Speaker:

I return herewith H 303, as amended in the Senate, as amended in the Senate, and H 338, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 303, as amended in the Senate, as amended in the Senate, and H 338, as amended in the Senate, were ordered held at the Desk.

Mr. Nonini asked unanimous consent that the House concur in the Senate amendments to H 303, as amended in the Senate, as amended in the Senate. There being no objection, it was so ordered.

Mr. Roberts asked unanimous consent that the House concur in the Senate amendments to H 338, as amended in the Senate. There being no objection, it was so ordered.

H 303, as amended in the Senate, as amended in the Senate, and H 338, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

May 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed House amendments to S 1150 and S 1182, as amended.

CLARK, Chairman

May 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed H 303, as amended in the Senate, as amended in the Senate, and H 338, as amended in the Senate.

CLARK, Chairman

H 303, as amended in the Senate, as amended in the Senate, and H 338, as amended in the Senate, were filed for first reading of engrossed bills.

May 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled H 226 and H 334 to the Governor at 9:15 a.m., as of this date, May 8, 2009.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1150, as amended in the House, and S 1182, as amended, as amended in the House, by Judiciary and Rules Committee, were introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 303, as amended in the Senate, as amended in the Senate, and H 338, as amended in the Senate, by Ways and Means

Committee, were introduced, read the first time by title, and filed for second reading.

At this time the Speaker took the Chair.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

May 7, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 344 and H 345

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

May 8, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1225**, **S 1235**, **S 1239**, and **S 1246** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1225**, **S 1235**, **S 1239**, and **S 1246** and, when so signed, ordered them returned to the Senate.

May 8, 2009

Mr. Speaker:

I transmit herewith **S 1228** and **S 1236** which have passed the Senate.

WOOD, Secretary

S 1228 and **S 1236** were filed for first reading.

May 8, 2009

Mr. Speaker:

I return herewith **HCR 32**, **HCR 34**, **H 211**, **H 374**, **H 376**, **H 377**, and **H 378** which have passed the Senate.

WOOD, Secretary

HCR 32, **HCR 34**, **H 211**, **H 374**, **H 376**, **H 377**, and **H 378** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

May 8, 2009

Mr. Speaker:

I return herewith **H 286**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 286, as amended in the Senate, was ordered held at the Desk.

Mr. Henderson asked unanimous consent that the House not concur in the Senate amendments to **H 286**, as amended in the Senate. There being no objection, **H 286**, as amended in the Senate, was ordered filed in the office of the Chief Clerk.

Report of Standing Committees

May 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 275**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 275** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1228 and **S 1236**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1228** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1228** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – None.

Absent and excused – Boe, Clark, Hart, Higgins, Kren, Ringo, Ruchti, Shepherd(02), Shepherd(08), Smith(24), Trail, Wills. Total – 12.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1228** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1228** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer,

was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 338**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 338**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Sayler, Schaefer, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – None.

Absent and excused – Boe, Clark, Hart, Higgins, Kren, Ringo, Ruchti, Shepherd(02), Shepherd(08), Smith(24), Trail, Wills. Total – 12.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 338**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 338**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Sayler, Schaefer, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – None.

Absent and excused – Boe, Clark, Hart, Higgins, Kren, Ringo, Ruchti, Shepherd(02), Shepherd(08), Smith(24), Trail, Wills. Total – 12.

Total – 70.

Whereupon the Speaker declared **H 338**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

May 8, 2009

Mr. Speaker:

I return herewith enrolled **H 275** which has been signed by the President.

WOOD, Secretary

Enrolled **H 275** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

May 8, 2009

Mr. Speaker:

I transmit herewith **S 1245** and **S 1147**, as amended, as amended, which have passed the Senate.

WOOD, Secretary

S 1245 and **S 1147**, as amended, as amended, were filed for first reading.

Report of Standing Committees

May 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 32**, **HCR 34**, **H 211**, **H 374**, **H 376**, **H 377**, **H 378**, **H 303**, as amended in the Senate, as amended in the Senate, and **H 338**, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 32**, **HCR 34**, **H 211**, **H 374**, **H 376**, **H 377**, **H 378**, **H 303**, as amended in the Senate, as amended in the Senate, and **H 338**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1245, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

S 1147, as amended, as amended, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1245** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1245** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – None.

Absent and excused – Boe, Clark, Hart, Higgins, Kren, McGeachin, Nonini, Ringo, Ruchti, Shepherd(02), Shepherd(08), Smith(24), Trail. Total – 13.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1245** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1245** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Durst, Harwood, Schaefer. Total – 3.

Absent and excused – Boe, Clark, Hart, Higgins, Kren, McGeachin, Nonini, Ringo, Ruchti, Shepherd(02), Shepherd(08), Smith(24), Trail. Total – 13.

Total – 70.

Whereupon the Speaker declared that **S 1245** passed the House. Title was approved and the bill ordered returned to the Senate.

Representative Rusche offered a special thanks to the Legislative staff for their patience and hard work during this session.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the First Regular Session of the Sixtieth Legislature adjourn Sine Die. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the motion carried and the First Regular Session of the Sixtieth Legislature adjourned Sine Die at 2:05 p.m., May 8, 2009.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

Note: The following actions were recorded after House Sine Die:

May 8, 2009

Mr. Speaker:

I transmit herewith enrolled **S 1228**, **S 1236**, and **S 1245** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1228**, **S 1236**, and **S 1245** and, when so signed, ordered them returned to the Senate.

May 8, 2009

Mr. Speaker:

I return herewith enrolled **HCR 32**, **HCR 34**, **H 211**, **H 374**, **H 376**, **H 377**, **H 378**, **H 303**, as amended in the Senate, as amended in the Senate, and **H 338**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 32** and **HCR 34** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 211**, **H 374**, **H 376**, **H 377**, **H 378**, **H 303**, as amended in the Senate, as amended in the Senate, and **H 338**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

May 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 275** to the Governor at 2:30 p.m., as of this date, May 8, 2009.

CLARK, Chairman

May 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 32** and **HCR 34** to the Secretary of State at 4:15 p.m., as of this date, May 8, 2009.

CLARK, Chairman

May 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 211**, **H 374**, **H 376**, **H 377**, **H 378**, **H 303**, as amended in the Senate, as amended in the Senate, and **H 338**, as amended in the Senate, to the Governor at 4:25 p.m., as of this date, May 8, 2009.

CLARK, Chairman

OFFICE OF THE GOVERNOR
Boise

May 11, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 346

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

May 12, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 211, H 226, H 334, H 338, as amended in the Senate, **H 376, H 377**, and **H 378**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

May 18, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 303, as amended in the Senate, as amended in the Senate, **H 372**, as amended in the Senate, and **H 374**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
Boise

May 20, 2009

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I am transmitting today to the Secretary of State the following House Bill, which will be allowed to become law without my signature:

H 275

within the time prescribed by the Idaho Constitution.

Pursuant to law, the Idaho Lottery now distributes half of its dividends to the Permanent Building Fund and the other half to the School District Building Account. House Bill 275 will modify the Lottery distribution formula so that a portion of the revenue over and above FY08 levels will go to the Bond Levy Equalization Fund (Equalization Fund). From that fund, the state pays a portion of the costs attributable to annual interest and redemption payments for bonds passed by school districts after September 15, 2002.

HB 275 provides that the Permanent Building Fund and School District Building Account will receive no less money than they did in FY08 for the next five years unless dividends decrease. The legislation also provides that any money above the FY08 levels through 2014 will be distributed according to a formula allocating one-quarter (1/4) of additional revenues to the Equalization Fund, three-eighths (3/8) to the Permanent Building Fund and three-eighths (3/8) to the School District Building Account.

I am concerned that HB 275 does not satisfy the Equalization Funds ongoing needs. On its own, this legislation will not generate enough additional revenue to cover the Equalization Funds state costs - now roughly \$17.9 million. The Lottery projects FY10 revenues to be approximately \$36.5 million, or only \$1.5 million over FY08 levels, which is less than one-tenth of the states current Equalization Fund costs. I worry that next session the Legislature will need to seek a new solution and additional revenue for the Equalization Fund.

HB 275 has been discussed as a temporary solution until the Capitol restoration is paid for and those funds could be shifted to the Equalization Fund. If true, more discussion is needed before additional revenue sources, such as the Capitol restoration funding, are identified to ensure we do not create a solution worse than the problem. We must work together to identify an appropriate revenue stream that does not impact the state, Permanent Building Fund or School District Building Account any more or any longer than envisioned in HB 275.

I also am concerned that HB 275 may be inconsistent with the original stated purpose of the Lottery - to provide revenue specifically for the Permanent Building Fund and School District Building Account.

One of the supporting documents used for the constitutional amendment creating the Idaho Lottery stated "[i]n 1988, the legislature...enacted Senate Bill No. 1471 which upon approval of H.J.R. No. 3 by the electorate at the 1988 general election...provides that the Idaho State Lottery Agency shall transfer one-half of its net income to the permanent building account and one-half of its net income to the school district building account....Moneys in both the permanent building account and the school district building account are utilized for one-time expenditures in constructing, repairing or remodeling needed state buildings or public school buildings."

To that end, I am concerned about the inherent inequality of HB 275. Not all schools participate or benefit from the Equalization Fund; however, all schools participate in the School District Building Account, which now receives half of the Lottery's dividends. Under this legislation, school districts that have not passed bonds since September 15, 2002, will receive less money than expected in the future if Lottery returns increase because they are locked in at FY08 levels until 2014.

I understand that HB 275 still devotes Lottery revenues to education specifically the construction, repair and remodeling of public schools. However, I wonder if the division proposed in this legislation would have been acceptable to the people of Idaho when they created the Lottery.

Despite my concerns and reservations, I am willing to see if this solution will work. Supporting the Equalization Fund and our neediest school districts is an important and noble endeavor. I applaud the Legislature for recognizing the need and exploring additional revenue sources to support the Equalization Fund. I look forward to working with the Legislature to identify an adequate, certain and appropriate funding source in the future.

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

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CERTIFICATE

WE, LAWERENCE DENNEY, Speaker of the House of Representatives, and BONNIE ALEXANDER, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the First Regular Session of the Sixtieth Legislature all of the proceedings of the One Hundred and Seventeenth Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this 20th day of May, 2009.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

This index lists key words with regard to subject matter of all House bills introduced in the House. Senate bills introduced in the House are not referenced in this index. Non-legislation subject matter is included and referenced by page number. If more information is required, refer to the 2009 Senate Journal, the 2009 Final Weekly Bill Status, or online at www.legislature.idaho.gov.

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2	Eskridge and anderson	22	PROPERTY TAX - Adds to existing law to exempt from the property tax any increase in excess of three percent per year in the net taxable value of real property or operating property of a taxpayer; to define terms; to provide the effect of a change in status; to provide that tax year 2007 is the base year for calculation; and to provide that the exemption does not apply to forest lands.....	-	24	H W/M
3	Revenue and Taxation	22	CORPORATE INCOME TAXES - Amends existing law relating to the water's-edge election to revise standards for making the water's-edge election on behalf of members of the water's-edge combined group for corporate income tax purposes.	39	101	LAW
4	Revenue and Taxation	22	PROPERTY TAX EXEMPTION - HOMESTEADS - Amends existing law to allow the State Tax Commission to publish annual changes rather than increases to the value of residential real property that is subject to the homeowner's exemption.	33	105	LAW
5	Revenue and Taxation	22	INCOME TAXES - Amends existing law relating to income taxation to provide that passive losses incurred in years during which a taxpayer had no activity in Idaho are not deductible from state income tax.....	39	39	S Loc Gov
6	Environment, Energy, and Technology	24	BUNKER HILL CLEANUP SITE - Amends existing law relating to the Bunker Hill Cleanup Site to revise provisions relating to certain real property or interests in such property.....	40	105	LAW
7	Environment, Energy, and Technology	24	PUBLIC UTILITIES COMMISSION - Adds to existing law to allow the Public Utilities Commission to provide priority designation for electric transmission projects that will cause state agencies to expedite their permit procedures for electric transmission projects.	40	105	LAW
8	Revenue and Taxation	25	MOTOR FUELS TAX - DYED DIESEL FUEL - Amends existing law to provide a civil penalty for violation of the motor fuel tax laws prohibiting the use of dyed diesel fuel; and to provide a civil penalty for refusal to permit inspection of fuel tanks and dyeing equipment.	-	26	H Transp
9	Revenue and Taxation	25	MOTOR FUELS TAX - BIODIESEL MOTOR FUEL - Amends existing law to exempt persons who produce 5,000 gallons or less of biodiesel motor fuel in a calendar year for personal consumption from the requirement to pay the one cent per gallon petroleum transfer fee and the requirement to obtain an Idaho motor fuel distributor's license.....	66	138	LAW
10	Revenue and Taxation	25	AIRCRAFT - SALES AND USE TAX - Amends existing law to exempt personally owned aircraft from the sales and use tax; and limits the exemption of sales and use tax solely to aircraft used as allowed by law to provide passenger or freight services for hire to the public from one point on land or water to another.	39	247	LAW

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11	Revenue and Taxation	25	MOTOR FUELS TAX - ELECTRONIC SUBMISSION - Amends existing law to require from the taxpayer electronic submission of motor fuels tax and income tax information above a certain volume of activity.....	39	101	LAW
12	Revenue and Taxation	25	TAXATION - BEER - WINE - Amends existing law to allow the State Tax Commission to promulgate rules to allow the payment of beer and wine taxes for a period other than monthly.	39	101	LAW
13	State Affairs	28	PERSONNEL GROUP INSURANCE - Repeals existing law relating to the position of Personnel Group Insurance Administrator and to existing group policies and contracts.....	46	101	LAW
14 AA,AAS	State Affairs	28	DEPARTMENT OF ADMINISTRATION - GROUP INSURANCE - Amends existing law relating to the Department of Administration and group insurance to revise provisions relating to certain services provided. (House Amendments - p. 114) (Senate Amendments - See Senate Journal)	251	277	LAW
15	State Affairs	28	REAL PROPERTY - Repeals existing law relating to the inventory of real property owned or leased by the state of Idaho in Boise.	46	101	LAW
16	Resources and Conservation	28	CONTROLLED HUNTS - Amends existing law relating to controlled hunts to provide a limitation on the number of tags and permits to be issued to nonresidents in certain controlled hunts.	-	30	H Res/Con
17	Durst	28	LOCAL OPTION TAXES - Adds to existing law relating to local option taxation provide authority for a taxing district nonproperty non-income tax; to provide for a taxing district tax receipts fund, to provide general provisions for the tax, to provide for collection and administration of local option taxes by the State Tax Commission, to provide for distribution of moneys, and to provide for change of a taxing district's boundaries.	-	30	H W/M
18	Education	28	BOARD OF EDUCATION - EMPLOYEE SICK LEAVE - Adds to existing law relating to the Board of Education and employee sick leave to provide that employees of Boise State University who have accrued sick leave and who are transferred or otherwise become eligible employees of the College of Western Idaho shall be credited with the amount of such sick leave at the time of transfer.....	70	138	LAW
19	Education	29	BOARD OF EDUCATION - REAL AND PERSONAL PROPERTY - Amends existing law relating to the State Board of Education to provide for authority of the state board to transfer or convey title, rights and interests in certain real and personal property.	70	70	S Educ
20	State Affairs	30	ENDOWMENT FUND INVESTMENT BOARD - Amends existing law relating to the Endowment Fund Investment Board to revise a provision relating to the compensation of board members.	58	128	LAW
21	Trail	30	SALES TAX - EXEMPTIONS - Repeals existing law relating to all exemptions to the sales and use tax.	-	32	H W/M

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22	State Affairs	31	VETERANS HOMES - Amends existing law relating to state veterans homes to remove administrators in charge of state veterans homes from the Department of Health and Welfare Director's powers and duties.	58	128	LAW
23	State Affairs	31	RACING COMMISSION - Amends and adds to existing law relating to the Idaho State Racing Commission to provide for commission funds; to revise provisions relating to the Simulcast Purse Moneys Fund; to provide that certain monetary penalties shall be deposited into the Racing Commission Fund, to provide for the exclusion of certain persons from any Racing Commission association and simulcast operator's grounds; and to revise provisions relating to advance deposit wagering.	58	58	S Fin
24	State Affairs	31	LICENSE PLATES - Adds to and amends existing law relating to special motor vehicle license plates to provide for Gold Star license plates; to provide for crediting certain moneys to the Veterans Support Fund; and to revise the use of fund moneys.....	198	322	LAW
25	Thayn	32	PREKINDERGARTEN COUNSELING - KINDERGARTEN MASTERY - Adds to existing law relating to education to provide for prekindergarten counseling, to provide for kindergarten mastery, to state legislative intent and to provide for state board authority.	-	34	H W/M
26	Durst	34	ELECTIONS - ABSENTEE VOTERS - Amends existing law relating to elections to provide for application by electors for status as permanent absentee voters.	-	36	H W/M
27	Durst	35	LEGISLATURE ELECTION PUBLIC FINANCE FUND - Adds to and amends existing law relating to Legislature election public financing to provide for public financing of Legislature primary elections, to provide for public financing of Legislature general elections, to provide for limitation on qualified elector signatures, to provide for the Legislature Election Public Finance Fund, to provide for rulemaking authority; and to provide for an income tax designation by individuals for the Legislature Election Public Finance Fund.....	-	36	H W/M
28	State Affairs	35	LIQUOR DISPENSARY - Amends existing law relating to the State Liquor Dispensary to revise terminology.	65	138	LAW
29	Revenue and Taxation	35	TAXATION - PERSONAL PROPERTY - Amends existing law to revise the fiscal year that is used to calculate when the property exemption for personal property takes effect and to provide additional procedures for application for the exemption and recovery of the exemption that was improperly claimed or approved.	-	36	H Rev/Tax
30	Revenue and Taxation	35	PROPERTY TAXES - NOTICES - Amends existing law to require that the percentage change from the prior year's property taxes, and the acreage of the property are included in the property tax notice.	79	79	S Loc Gov

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31 AAS	Resources and Conservation	36	FORESTRY ACT - Amends existing law relating to the Idaho Forestry Act to revise certain costs relating to the protection against wildfires; to provide for the Wildfire Equipment Replacement Fund; and to provide that the Department of Lands shall determine certain reimbursement rates. (Senate Amendments - See Senate Journal)	179	205	LAW
32 AA	State Affairs	36	ATHLETIC COMMISSION - Amends existing law relating to the State Athletic Commission to revise definitions, to define a term and to remove definitions; to revise the commission's power relating to the revocation of sanctioning permits for certain contests and exhibitions; to revise provisions relating to the commission's duties and powers; to revise requirements for eligibility to compete in boxing contests or exhibitions; to revise provisions relating to bonds and other types of financial security and medical insurance; to revise provisions relating to issuing licenses or sanctioning permits; to remove a provision relating to participant changes for certain exhibitions and to revise provisions relating to the tax on gross receipts; to revise requirements relating to boxing rounds and bouts and to delete requirements relating to the weight of gloves; and to revise provisions relating to physicians attendance and examinations of combatants. (House Amendments - p. 114)	135	256	LAW
33	Agricultural Affairs	38	DEPARTMENT OF AGRICULTURE - RAINFALL - Repeals existing law relating to the Department of Agriculture and the artificial production of rainfall.	48	48	S Agric Aff
34 AAS	Agricultural Affairs	38	COMMODITY DEALERS - Amends existing law relating to commodity dealers to revise license provisions. (Senate Amendments - See Senate Journal)	179	205	LAW
35	Agricultural Affairs	38	DEPARTMENT OF AGRICULTURE - DIRECTOR - Amends existing law relating to the duties of the Director of the Department of Agriculture; to provide for the support of a market news service and to delete reference to maintenance of a market news service.	58	185	LAW
36	Agricultural Affairs	38	PURE SEED LAW - Amends existing law relating to the Pure Seed Law to revise provisions relating to the State Seed Advisory Board; and to revise provisions relating to seed arbitration and the Seed Arbitration Council.	58	205	LAW
37	Agricultural Affairs	38	DEPARTMENT OF AGRICULTURE - Amends existing law relating to bonded warehouses and the Commodity Indemnity Fund to provide that the fund shall not be liable for claims that result from losses due to uninsurable physical perils; and to provide that the fund shall not be liable for unpaid amounts for certain claims.....	65	205	LAW
38	Health and Welfare	38	PODIATRISTS - Amends existing law relating to podiatrists to increase the annual renewal license fee.	134	256	LAW

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39	State Affairs	38	DEPARTMENT OF ADMINISTRATION - GROUP INSURANCE - Amends existing law relating to the Department of Administration and group insurance to revise provisions relating to the use of employee unused sick leave to pay certain insurance premiums; to revise the powers and duties of the Director of the Department of Administration regarding group insurance; and to revise provisions relating to group insurance coverage for certain retirees.	-	41	H St Aff
40	Business	41	LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT - Amends existing law relating to the Idaho Life and Health Insurance Guaranty Association Act; to provide that the Idaho Life and Health Insurance Guaranty Association Act applies to structured settlement annuities, to provide that the Idaho Life and Health Insurance Guaranty Association Act does not apply to certain policies or contracts and shall not provide coverage to certain persons who receive coverage by an association of another state; to revise provisions relating to the duties and liability of the association; and to revise provisions relating to prohibited advertisement in the sale of insurance and to specify that certain written material is not prohibited.	100	214	LAW
41	Business	41	INDIVIDUAL ACCIDENT AND HEALTH INSURANCE POLICIES - Amends and repeals existing law relating to the individual accident and health insurance policies to include group supplemental disability insurance policies within the purpose of the chapter; to revise definitions; to provide for standards for policy provisions for group supplemental policies of disability insurance; to provide for group supplemental policy minimum standards for benefits; to provide an outline of coverage for group supplemental disability insurance policies, to provide limitations when specified policies shall be offered, continued or renewed, to revise the statement included in outline of coverage; and to remove provisions relating to preexisting conditions.....	136	244	LAW
42	Business	42	DEPARTMENT OF INSURANCE - Amends existing law relating to the Department of Insurance to provide certain authority to assist and participate with law enforcement agencies.	-	132	H Bus
43	Commerce and Human Resources	44	LICENSE PLATES - Amends existing law relating to the Department of Commerce to revise the name of a council; to provide for Innovation motor vehicle specialty license plates; and to provide for distribution of revenue from the sale of such plates.	156	291	LAW
44	Health and Welfare	44	PHYSICAL THERAPY - Amends existing law relating to the practice of physical therapy to revise the compensation of board members; and to revise provisions relating to licensing requirements for foreign-educated physical therapists.	134	256	LAW

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45	Health and Welfare	44	PSYCHOLOGISTS - Amends and repeals existing law relating to psychologists to revise provisions relating to exemptions from licensure; to revise a provision relating to notice requirements for board meetings; to revise provisions relating to powers of the board; to revise provisions relating to qualifications for licensure and to increase the application fee cap; to revise provisions relating to the revocation, suspension, restriction and discipline of a license; to revise certain fees, to revise provisions relating to qualifications for licensure; to revise certain fees and to revise provisions relating to continuing education requirements for certain psychologists seeking licensure; and to increase the license renewal fee.	100	185	LAW
46 AA	Health and Welfare	45	SOCIAL WORK LICENSING ACT - Amends existing law relating to the Social Work Licensing Act to revise a definition; to increase the application fee cap and to increase the license renewal fee cap. (House Amendments - p. 166)	180	277	LAW
47	Transportation and Defense	45	EMINENT DOMAIN - Amends existing law relating to eminent domain to revise provisions relating to the determination of fair market value of certain properties.....	-	47	H Transp
48	Transportation and Defense	45	EMINENT DOMAIN - Amends existing law relating to eminent domain to provide for reasonable and necessary costs and attorney fees in certain proceedings.	-	47	H Transp
49	Revenue and Taxation	45	PERSONAL PROPERTY TAXATION - Amends existing law relating to the taxation of personal property to make technical changes to when the law is in effect; to correct the reimbursement to urban renewal districts of exempt property; to correct a calculation regarding the three percent cap; and requiring inclusion of exempt personal property for certain levy setting purposes.	-	47	H Rev/Tax
50	Revenue and Taxation	45	PERSONAL PROPERTY TAX - Amends existing law relating to the taxation of personal property to revise language for the trigger mechanism and to allow operating property to receive the exemption under certain circumstances.	-	47	H Rev/Tax
51	Revenue and Taxation	45	INCOME TAX - DEDUCTIONS - Amends existing law relating to income taxation to provide a state income tax deduction for donations of technological equipment to private elementary or private secondary schools and to define "private elementary or private secondary school."	103	205	LAW
52	State Affairs	45	PUBLIC UTILITIES COMMISSION - Amends existing law to provide that with the approval of the Public Utilities Commission, a public utility may establish reasonable nonrecurring charges for new customers to partially recover the costs of public utility capital investment in new facilities to serve new customer growth.	-	47	H St Aff

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53	Transportation and Defense	47	HAZARDOUS SUBSTANCE EMERGENCY RESPONSE - Amends existing law relating to the Hazardous Substance Emergency Response Act to revise the Legislature's findings and purposes; to revise definitions and to define a term; to revise provisions relating to the Military Division's powers and duties; to revise provisions relating to reimbursement of certain costs; and to revise provisions relating to recoverable costs and civil remedies.	-	188	H Transp
54	Transportation and Defense	47	EMINENT DOMAIN - Amends existing law relating to eminent domain to revise provisions relating to lawful interest on compensation and damages in eminent domain cases.	-	49	H Transp
55	Health and Welfare	48	NURSING - Amends existing law relating to nursing to provide an alternative way to qualify for a practical and a professional nursing license.	145	244	LAW
56	Commerce and Human Resources	48	STATE EMPLOYEES - FURLOUGH - Amends existing law relating to the state personnel system to provide for a rule that any incumbent classified employee removed from his or her position because of budget constraints during fiscal years 2009, 2010 or 2011, shall be deemed to be on a furlough and shall be reinstated in the same or similar position if such a position becomes available during a certain time period, to provide for an exception and to define a term.	-	49	H Com/HuRes
57	Education	50	IDAHO DIGITAL LEARNING ACADEMY - Amends existing law to provide that public school employment shall be defined to include the employees of the Idaho Digital Learning Academy, to revise the makeup of the Idaho Digital Learning Academy Board of Directors; and to revise statutory provisions regarding the Idaho Digital Learning Academy concerning sick leave and severance allowance at retirement.	115	214	LAW
58	Education	50	COMPULSORY SCHOOL ATTENDANCE - Amends existing law relating to education and compulsory attendance to provide that the parent or guardian of any child resident in this state who has not attained the age of eighteen years shall cause such child to be instructed in subjects commonly and usually taught in the public schools of this state and to provide for exceptions.	-	52	H Educ
59	Judiciary, Rules, and Administration	50	CRIMES OF VIOLENCE - Amends existing law relating to compensation of victims of crimes to provide that a certain felony be included in the list of crimes of violence that qualify for a monetary fine.	126	214	LAW
60	Judiciary, Rules, and Administration	50	ELECTRONIC COMMUNICATION SERVICE - SUBPOENA - Amends existing law relating to witnesses in criminal proceedings to provide provisions relating to administrative subpoenas for certain records and information issued to a provider of electronic communication service or a provider of a remote computing service by the Prosecuting Attorney or Attorney General.	126	231	LAW w/o sign

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61	Appropriations	50	APPROPRIATIONS - OMNIBUS RESCISSION AND SUPPLEMENTAL - Declares legislative intent regarding General Fund revenues and expenditures; transfers dedicated funds into the General Fund; reduces General Fund appropriations for all agencies and institutions for fiscal year 2009; and increases appropriations from dedicated and federal funds to partially offset General Fund reductions for some agencies.....	65	65	S Fin
62	State Affairs	50	LOBBYIST EXPENDITURES - Amends existing law relating to lobbyist expenditures to revise provisions relating to certain annual, semiannual and monthly periodic reports and to delete a requirement that a certain threshold be adjusted biennially.	-	52	H St Aff
63	Revenue and Taxation	50	FLOATING HOMES - Amends existing law relating to floating homes to revise the definition of "floating home."	-	52	H Rev/Tax
64 AAS,AAS	Revenue and Taxation	50	INCOME TAXATION - Amends existing law relating to the Internal Revenue Code to provide that the additional standard deduction for real property taxes for nonitemizers does apply. (Senate Amendments - See Senate Journal)	160	185	LAW
65 AA	State Affairs	53	FIREARMS - OUT-OF-STATE PURCHASES - Amends existing law relating to firearms to provide for the out-of-state purchase of firearms by residents of Idaho; and to provide for the purchase of firearms in Idaho by nonresidents..... (House Amendments - p. 114)	135	272	LAW
66	Appropriations	53	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates an additional \$500,000 to the Industrial Commission for fiscal year 2009.	70	128	LAW
67	Appropriations	53	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Appropriates an additional \$108,000 to the Department of Agriculture for fiscal year 2009.	70	128	LAW
68	State Affairs	53	ELECTIONS - Amends, adds to and repeals existing law to limit elections to two dates in each calendar year, except for school districts that are allowed two additional election dates; to specify those elections to be held in even-numbered years and those elections to be held in odd-numbered years; to transition certain terms of office from an odd number of years to four year or six year terms; to provide for all elections to be conducted by the appropriate county clerk, except for water districts, ground water recharge districts, ground water management districts and irrigations districts.	-	60	H St Aff
69	State Affairs	57	ELECTIONS - Amends existing law relating to elections to provide for an annual distribution from sales tax revenues to counties to fund the additional cost of conducting elections and to provide a report.	-	60	H St Aff
70 AAS	Judiciary, Rules, and Administration	60	SEXUAL OFFENDER REGISTRATION ACT - Amends existing law relating to the Sexual Offender Registration Act to revise provisions relating to the release of a person from registration requirements. (Senate Amendments - See Senate Journal)	208	244	LAW

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71	Judiciary, Rules, and Administration	60	DISCHARGE OF DEFENDANT - Amends existing law relating to criminal history records and crime information to provide that the discharge of a defendant shall not result in the expungement of the defendant's criminal history record.	127	127	H FAILED
72	Judiciary, Rules, and Administration	61	FINES - FORFEITURES - COSTS - Repeals existing law relating to the disposition of fines, forfeitures and costs.	157	256	LAW
73 AA	Judiciary, Rules, and Administration	61	PROSECUTING ATTORNEYS - Amends existing law relating to prosecuting attorneys to prohibit diversion of public moneys in settling prosecutions and to provide for penalties. (House Amendments - p. 166)	180	180	S Jud
74	Business	61	MANAGED CARE REFORM ACT - Amends existing law relating to the Managed Care Reform Act to provide further legislative intent and to provide certain contractual obligations of a managed care organization.	-	62	H Bus
75	Business	61	DEPARTMENT OF INSURANCE - LIFE SETTLEMENTS - Adds to existing law relating to life settlements to set forth general rules governing the transaction of life settlements; and to describe permissible life settlements and related documentation requirements; and to prohibit certain practices and conflicts of interest.	136	244	LAW
76 AAS	Business	61	EMPLOYMENT SECURITY LAW - Amends existing law relating to employment security law to provide that certain employment relating to the selling or soliciting of sale of consumer products including services and other intangibles shall be considered exempt employment and to specify conditions. (Senate Amendments - See Senate Journal)	208	244	LAW
77	Education	63	TUITION - PROFESSIONAL-TECHNICAL EDUCATION - Adds to existing law relating to tuition for professional-technical students to provide for use of certain moneys for tuition for professional-technical students and to provide for a list of enrollees.	-	67	H Educ
78	Education	63	EDUCATION - DISTRICT TRUSTEES - Amends existing law relating to education and district trustees to provide for appointment of a person at-large, and to provide that certain appointments shall be made by the Board of County Commissioners after a certain period.	115	214	LAW
79 AAS	Education	63	CHARTER SCHOOL ADMISSIONS - Amends existing law relating to charter school admissions to provide charter schools with the option of awarding an enhanced enrollment opportunity to the children of certain employees and certain returning students. (Senate Amendments - See Senate Journal)	179	205	LAW

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80	Appropriations	63	APPROPRIATIONS DEPARTMENT OF HEALTH AND WELFARE- Appropriates \$20,000 to the Child Welfare program for fiscal year 2009; appropriates \$275,100 to the Foster and Assistance Payments program for fiscal year 2009; reduces appropriation by \$250,100 for the Foster and Assistance Payments program for fiscal year 2009; appropriates \$563,600 to the Community Developmental Disability Services program for fiscal year 2009; appropriates \$36,800,000 to the Medical Assistance Services program for fiscal year 2009; appropriates \$2,400,000 to the Community Hospitalization program for fiscal year 2009; appropriates \$3,155,200 to the Physical Health Services program for fiscal year 2009; appropriates \$295,000 to the Emergency Medical Services program for fiscal year 2009; and reduces appropriation by \$120,000 for the Emergency Medical Services program for fiscal year 2009.	80	128	LAW
81	Health and Welfare	64	PUBLIC ASSISTANCE AND WELFARE - Amends existing law relating to public assistance and welfare to provide for Medicaid reduction.....	-	67	H Health/Wel
82	State Affairs	64	CRIMINAL INTERNET USE - Amends existing law to provide for the crime of using emails, text messages or posts on the internet to annoy, terrify, threaten, intimidate, harass or offend, to provide for prima facie evidence, to provide application and to provide when the offense is deemed to have been committed in the state of Idaho.....	-	67	H Jud
83	Revenue and Taxation	64	TAXATION - PERSONAL PROPERTY - Amends existing law to revise the fiscal year that is used to calculate when the property tax exemption for personal property takes effect; and to provide additional procedures for application for the exemption and recovery of the exemption that was improperly claimed or approved.....	104	205	LAW
84	Education	64	SCHOOL AGE - Amends existing law relating to school age to revise provisions relating to school age for purposes of enrollment in first grade.....	199	199	S Educ
85	Appropriations	68	APPROPRIATIONS MILLENNIUM FUND Transfers \$331,800 from the Millennium Traditional Fund to the Millennium Income Fund.....	94	138	LAW
86	Appropriations	68	APPROPRIATIONS - Appropriates \$262,400 to the Department of Correction for fiscal year 2009; and reduces the appropriation to the Department of Correction by \$4.0 million for fiscal year 2009.....	94	138	LAW
87	Judiciary, Rules, and Administration	69	VULNERABLE ADULTS - Amends existing law relating to vulnerable adults to revise a definition.....	136	244	LAW
88	Business	69	MORTICIANS - Amends existing law relating to morticians to revise requirements related to resident trainee licensure.....	125	244	LAW
89	Business	69	BARBERS - Amends existing law relating to barbers to provide an additional exception to licensure requirements and to revise certain other exceptions.	125	244	LAW

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90	Business	69	LIQUEFIED PETROLEUM GAS - Amends existing law relating to liquefied petroleum gas public safety to provide a fee cap for each application, original license and annual renewal of any facility license.	126	244	LAW
91	Business	69	GEOLOGISTS - Repeals and amends existing law relating to geologists to revise a provision relating to qualifications for board membership; to revise provisions relating to the board's powers; and to revise provisions relating to disciplinary grounds and procedures and to provide an administrative fine for certain violations.	126	244	LAW
92	Business	69	ARCHITECTS - Amends existing law relating to architects to revise examination and licensure requirements.	132	244	LAW
93	Transportation and Defense	73	MOTOR VEHICLE RENTALS - TAXATION - Amends and adds to existing law relating to motor vehicle rentals and taxation to revise the definition of sales price; and to provide for a motor vehicle rental tax.....	-	75	H Transp
94	Transportation and Defense	73	TRANSPORTATION AND MOTOR FUEL TAXES - Amends and adds to existing law relating to transportation and motor fuel taxes to revise the apportionment from the Highway Distribution Account; to provide for the Idaho Highway, Bridge and Railroad Crossing Fund, to provide for apportionment of moneys from the fund and to provide for a report; to revise the tax upon motor fuel and to provide effective dates; to revise certain fees relating to vehicles powered by gaseous fuels and to provide effective dates.	-	75	H Transp
95	Transportation and Defense	73	HIGHWAY DISTRIBUTION ACCOUNT - Amends existing law relating to the Highway Distribution Account.	-	75	H Transp
96 AAS	Transportation and Defense	73	FUELS - Amends existing law relating to fuels to delete certain deductions..... (Senate Amendments - See Senate Journal)	314	314	H FAILED
97 AA	Transportation and Defense	73	HIGH OCCUPANCY VEHICLE LANES - Amends and adds to existing law relating to motor vehicles and traffic to provide for driving a vehicle in a high occupancy vehicle lane, to provide for exceptions, to provide for penalties and to define a term. (House Amendments - p. 189)	203	316	LAW
98	Transportation and Defense	73	MOTOR VEHICLES - FEES - Amends existing law relating to motor vehicles to revise and to provide for various fees relating to vehicles including certain registration fees, validation fees, transfer fees and operating fees and to provide effective dates.....	-	75	H Transp
99	Agricultural Affairs	74	GRAPE GROWERS AND WINE PRODUCERS COMMISSION - Amends existing law relating to the Idaho Grape Growers and Wine Producers Commission to revise provisions relating to the withdrawal of funds from certain accounts and to provide for internal accounting controls.	112	214	LAW
100	Agricultural Affairs	74	TAXES - GRAPE GROWERS - WINE PRODUCERS - Amends existing law relating to the Idaho Grape Growers and Wine Producers Commission to revise provisions relating to the imposition of certain taxes.	112	214	LAW

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101	Agricultural Affairs	74	BEEF PROMOTION - Amends and repeals existing law relating to beef promotion to allow a refund of beef assessments, to increase the assessment for beef promotion and to revise procedures.	133	244	LAW
102	Judiciary, Rules, and Administration	77	COUNTIES - DISTRICTS - Amends existing law relating to counties to provide that challenges to proceedings and jurisdictional steps preceding orders relating to the creation, establishment, disestablishment, dissolution or modification of certain districts shall not be heard or considered following the lapse of a specified period of time.....	111	205	LAW
103	Judiciary, Rules, and Administration	77	DISABLED PERSONS - FINANCIAL PROTECTION - Amends and repeals existing law relating to county fees and the protection of persons under disability to delete the sunset clause for the Guardianship Pilot Project Fund; to provide that financial plans, inventory and records, and accounts and reports filed in certain conservatorship cases are subject to examination and review as provided by rules adopted by the Idaho Supreme Court.	140	244	LAW
104	Judiciary, Rules, and Administration	77	DOMESTIC VIOLENCE - FAMILY SERVICES - Amends and adds to existing law relating to coordinated family services to provide that a Domestic Violence Court Coordinator is an effective response to address the needs of families and children; to provide that a Domestic Violence Court Coordinator shall submit to a fingerprint-based criminal history check; to provide a statement of policy relating to domestic violence courts; to provide for domestic violence courts; and to provide for domestic violence court fees and the distribution of domestic violence court fees.....	137	244	LAW
105	Judiciary, Rules, and Administration	77	FEES - Amends existing law relating to fees to increase the filing fee for small claims cases and to revise the distribution of the filing fee for small claim cases to provide that a certain amount shall be deposited in the senior magistrate judges fund; and to revise provisions relating to certain district court fees.....	137	244	LAW
106 AA	Judiciary, Rules, and Administration	78	DEFENDANTS - MENTAL ILLNESS EXAMS - Amends existing law relating to examinations of defendants for evidence of mental conditions to provide that professionals determined by the court to be qualified to examine a defendant's mental condition may be appointed to examine and report upon the mental condition of a defendant at sentencing; and to provide that additional examinations need not be ordered by the court in certain circumstances..... (House Amendments - p. 167)	181	272	LAW
107	Judiciary, Rules, and Administration	78	DEATH PENALTY - Amends existing law relating to execution to revise provisions relating to the infliction of the death penalty.....	152	244	LAW
108	Business	78	INSURANCE - CONTRACTS - Amends existing law relating to insurance to revise who shall be permitted to remain on certain policies, contracts and plans; and to provide that certain persons be permitted to remain on certain contracts.....	136	272	LAW

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109	Business	78	CONTRACTOR REGISTRATION ACT - Amends existing law relating to the Idaho Contractor Registration Act to revise provisions relating to information submitted for contractor registration.....	126	244	LAW
110	Business	78	PLUMBING - Amends existing law relating to plumbing and plumbers to revise provisions relating to registration and fees for apprentices and specialty apprentices; and to revise provisions relating to registration and renewal for apprentices and specialty apprentices.	158	272	LAW
111	Business	78	ELECTRICAL CONTRACTORS - JOURNEYMEN - Amends existing law relating to electrical contractors and journeymen to revise provisions relating to examination and licensing requirements; to revise provisions relating to licensing and registration periods; to revise provisions relating to the revival of an expired license; and to revise certain fees.....	159	272	LAW
112	Business	78	BUILDING SAFETY - APPRENTICES - Amends existing law relating to installation of heating, ventilation and air conditioning systems and to revise the registration period and the registration fee for apprentices and specialty apprentices.....	159	272	LAW
113	Business	78	PLUMBING AND PLUMBERS - Amends existing law relating to plumbing and plumbers to revise the powers and duties of the Idaho Plumbing Board; to provide procedure for renewal of a plumbing contractor or journeyman certificate of competency; and to provide timing and procedure for renewal of a plumbing specialty contractor and specialty journeyman certificate of competency.	160	272	LAW
114	Business	78	BUILDING CODES - Amends existing law relating to building codes to revise building code editions.	-	81	H Bus
115	Business	78	MODULAR BUILDINGS - Adds to existing law relating to modular buildings to provide for appointment and qualifications of modular building inspectors.	163	272	LAW
116	Resources and Conservation	79	CONSERVATION AGREEMENTS - Amends existing law relating to conservation agreements to provide that certain conservation agreements are invalid and to revise a definition.....	-	81	H Res/Con
117	Education	79	EDUCATION - Amends and repeals existing law relating to education to revise a provision relating to a term of employment; to revise provisions relating to certain contracts; to provide for notice and to provide for a hearing; to revise provisions relating to certain severance payments; to revise provisions relating to the determination of certain allowances and to revise provisions relating to a certain experience factor and to revise multipliers for certain education factors; and to declare that the Legislature encourages school districts and public charter schools to take certain actions to accommodate reduced funding.....	-	81	H Educ

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118	Education	79	PUBLIC SCHOOLS - Amends existing law relating to public schools to revise provisions relating to the Transportation Support Program, to provide for the elimination of state reimbursement for certain costs, to revise state reimbursement for certain costs, to revise provisions relating to the calculation for reimbursement, to revise provisions relating to qualifying as a hardship, and to delete a loan provision; and to revise provisions relating to reimbursements and appropriations for public charter school transportation costs.	-	81	H Educ
119	Revenue and Taxation	79	SALES AND USE TAX - DEVELOPERS - REBATES - Amends, repeals and adds to existing law relating to the sales and use tax to revise provisions relating to distribution of moneys to developers of certain retail complexes; to provide a sales and use tax rebate to certain developers of certain retail complexes, to provide definitions, to provide provisions relating to a written claim, and to provide for approval by the tax commission.....	116	238	LAW
120	Revenue and Taxation	82	EDUCATION - BUDGET STABILIZATION LEVY - Amends existing law relating to education and budget and tax levies to eliminate language relating to the provision that certain school districts may authorize a budget stabilization levy.	-	87	H Rev/Tax
121	Revenue and Taxation	82	INCOME TAX - DONATIONS - Amends and adds to existing law relating to income tax checkoffs and donations to provide for designation by individuals of a refund for an overpayment of income taxes or a donation by individuals to the Idaho Food Bank.....	118	238	LAW
122	Revenue and Taxation	82	ENERGY ENTERPRISE ZONES - Adds and amends existing law to provide for renewable energy enterprize zone designation and to provide state tax incentives for projects located in those zones.	-	87	H Rev/Tax
123	Health and Welfare	83	PUBLIC ASSISTANCE AND WELFARE - Amends existing law relating to public assistance and welfare to provide for Medicaid reduction.....	115	185	LAW
124	Agricultural Affairs	83	IDAHO AG IN THE CLASSROOM - Amends existing law relating to Idaho Ag in the Classroom to provide that the Idaho Transportation Department shall transfer certain moneys directly to Idaho Ag in the Classroom and to provide for the use of moneys so transferred.	156	272	LAW
125	Agricultural Affairs	83	VETERINARIANS - Amends existing law relating to veterinarians to revise a definition.....	151	244	LAW
126	Agricultural Affairs	83	VETERINARIANS - Adds to existing law relating to veterinarians to require that all applicants for original licensure, certification and reinstatement submit to a criminal background check and to provide procedures.	151	244	LAW
127	Agricultural Affairs	83	VETERINARIANS - Amends existing law relating to veterinarians to add animals as a group to be safeguarded by the state and to revise the means to accomplish policy objectives.....	151	244	LAW

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128	Agricultural Affairs	83	PEA AND LENTIL COMMISSION - Amends existing law relating to the Pea and Lentil Commission to revise compensation provisions relating to members of the Pea and Lentil Commission.	133	272	LAW
129	Agricultural Affairs	83	PEA AND LENTIL COMMISSION - Amends existing law relating to the Pea and Lentil Commission to revise provisions relating to the selection, terms of office and vacancies of commission members.	133	272	LAW
130	Transportation and Defense	84	MOTOR VEHICLES - REGISTRATION FEES - Amends existing law to provide that registration for a trailer or semitrailer shall be provided with any valid state title and no title transfer will be required, to provide that the registrant shall be issued the Idaho National Plate that will not require an annual sticker and no registration fee shall be required after the initial registration fee is paid and to provide that the Idaho National Plate shall remain on the trailer or semitrailer until the registration is canceled.	-	87	H Transp
131 AA	Transportation and Defense	84	COMMEMORATIVE MEDALLIONS - Amends existing law relating to transportation to authorize the State Treasurer to issue and sell commemorative medallions; to provide that the medallions are exempt from sales and income tax; and to provide that proceeds be distributed to the state's Veterans Cemeteries or to the State Highway Account. (House Amendments - p. 234)	253	253	S Transp
132 AAS	Transportation and Defense	84	STATE EMPLOYEES - MILITARY LEAVE - Amends existing law relating to military duty to provide for an adjustment to military leave entitlement for state employees assigned to uncommon tours of duty and to provide that administration of paid leave for uncommon tours of duty shall be consistent with certain federal provisions. (Senate Amendments - See Senate Journal)	179	205	LAW
133	Transportation and Defense	84	MOTOR VEHICLE LEASE AND RENTAL TAX - Amends and adds to existing law relating to motor vehicle rentals and taxation to revise the definition of "sales price" and to provide for a motor vehicle rental tax.	-	87	H Transp
134	Transportation and Defense	84	MOTOR VEHICLE REGISTRATION FEES - Amends existing law relating to motor vehicle registration fees to delete a certain limitation on motor vehicle registration fees.	-	87	H Transp
135 AA	Transportation and Defense	84	MOTOR FUEL TAX AND TRANSPORTATION - Amends and adds to existing law relating to motor fuel tax and transportation to revise apportionment from the Highway Distribution Account; to provide for the Highway Maintenance, Preservation and Restoration Fund, to provide for apportionment of fund moneys, to provide for continuous appropriation, and to provide for expenditures; and to revise the tax upon motor fuel. (House Amendments - p. 235)	273	273	H FAILED

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136	Transportation and Defense	84	MOTOR FUEL TAX AND TRANSPORTATION - Amends and adds to existing law relating to motor fuel tax and transportation to revise apportionment from the Highway Distribution Account; to provide for the Highway Maintenance, Preservation and Restoration Fund, to provide for apportionment of fund moneys, to provide for continuous appropriation, to provide for expenditures; and to revise the tax upon motor fuel.....	-	87	H Transp
137	Resources and Conservation	88	PARK AND RECREATION BOARD - Amends existing law relating to powers of the Park and Recreation Board to provide board authority to regulate firearm discharges.	110	214	LAW
138 AA	Resources and Conservation	88	ACTIONS FOR NEGLIGENCE - Adds to existing law relating to actions for negligence to provide for negligence actions against certain individuals in the event of injury or death to a person caused by a nonnative animal species or subspecies introduced into the state of Idaho by a governmental agency..... (House Amendments - p. 234)	260	260	S Jud
139	Resources and Conservation	88	WOLVES - Adds to existing law relating to wolves to prohibit the protection of certain Canadian gray wolves, to provide for a felony and to provide penalties.....	-	90	H Res/Con
140	Revenue and Taxation	88	TAXATION - BEER - WINE - Amends existing law to provide for taxation of beer and wine on the basis of the wholesale price of the beer or wine and to revise the distribution formula for revenues raised from the tax.....	-	90	H Rev/Tax
141 AAS	Revenue and Taxation	88	FLOATING HOMES - Amends existing law relating to floating homes to revise the definition of "floating home." (Senate Amendments - See Senate Journal)	251	291	LAW
142	Revenue and Taxation	89	UNIFORM PRINCIPAL AND INCOME ACT - Amends existing law to make revisions to the Uniform Principal and Income Act.	118	244	LAW
143	Local Government	92	MUNICIPAL CORPORATIONS AND ANNEXATION - Amends existing law relating to municipal corporations and annexation to revise provisions relating to evidence of consent to annexation and to provide for exceptions.....	111	214	LAW
144	Health and Welfare	92	HOSPITALIZATION OF MENTALLY ILL - Amends existing law relating to hospitalization of mentally ill to remove certain responsibilities of adult children, to remove factors to be considered in determining responsibility for certain costs, to remove an Idaho code reference relating to the fixing of responsibility for certain costs, to remove limitations on county responsibility to pay certain costs and to provide for a limitation on rate of reimbursement.....	-	96	H Health/Wel
145 AA	Health and Welfare	92	STERILIZATION - Amends existing law relating to sterilization to revise a definition..... (House Amendments - p. 149)	164	272	LAW
146 AA	Health and Welfare	92	RESIDENTIAL CARE OR ASSISTED LIVING ACT - Amends existing law relating to the Idaho Residential Care or Assisted Living Act to provide residential care or assisted living facility requirements for residents who are not clients of the Department of Health and Welfare.	164	322	LAW

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			(House Amendments - p. 148)			
147	Transportation and Defense	92	COMMERCIAL DRIVER'S LICENSES - Amends existing law relating to the Transportation Department and commercial driver's licenses to revise provisions relating to disqualifications and certain penalties; and to revise provisions relating to fines for certain employers.	163	277	LAW w/o sign
148	Transportation and Defense	92	MOTOR VEHICLES - REGISTRATION FEES - Amends existing law relating to motor vehicles to revise certain motor vehicle registration fees and to provide for distribution.	-	96	H Transp
149	Transportation and Defense	92	MOTOR VEHICLES - FEES - Amends existing law relating to motor vehicles to revise registration fees relating to vehicles and to provide for distribution.	-	96	H Transp
150	Transportation and Defense	92	LICENSE PLATES - FEES - Adds to existing law relating to specialty license plates to provide for an additional fee.	-	96	H Transp
151	Transportation and Defense	93	FUELS TAX - Amends existing law relating to fuels tax to provide for penalties.....	175	277	LAW
152 AAS	Transportation and Defense	93	RURAL ECONOMIC DEVELOPMENT - Amends existing law relating to rural economic development and to revise matching grant provisions relating to planning and development of intermodal commerce authorities. (Senate Amendments - See Senate Journal)	208	247	LAW
153	Transportation and Defense	93	MOTOR VEHICLES - WEIGHTS - SANITATION TRUCKS - Amends existing law relating to motor vehicles and weight regulations to revise provisions relating to allowable weights for refuse/sanitation trucks and to revise provisions relating to an annual operating permit.	-	96	H Transp
154 AA	Transportation and Defense	93	STATE POLICE - Amends existing law relating to the Idaho State Police to revise provisions relating to the identification of certain state police vehicles. (House Amendments - p. 114)	135	244	LAW
155 AA	Transportation and Defense	93	HIGHWAYS - BRIDGES - MOTOR VEHICLES - REGISTRATION FEES - Adds to existing law relating to highways to authorize voters in a county to authorize the county to impose and collect certain motor vehicle registration fees for a specific purpose, to provide for submitting the question to the voters, to provide for conditions, to provide for collection and administration of fees, to provide for use of moneys received, and to provide for certain agreements..... (House Amendments - p. 149)	167	167	H FAILED
156	Transportation and Defense	93	HIGHWAY DISTRIBUTION ACCOUNT - Amends, repeals and adds to existing law relating to the highway distribution account to revise distributions from the highway distribution account; to provide for the Highway Distribution Account; and to provide a certain apportionment to the Law Enforcement Fund.	-	96	H Transp

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157 AA	Education	93	IDAHO EDUCATION NETWORK - Adds to and amends existing law relating to the Idaho Education Network; to provide duties of the State Superintendent of Public Instruction and the State Department of Education regarding the Idaho Education Network; to provide certain Department of Administration duties; and to provide for State Department of Education policies..... (House Amendments - p. 149)	164	272	LAW
158	Education	93	INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY - Amends existing law relating to education to provide for an Interstate Compact on Educational Opportunity for Military Children.....	-	96	H Educ
159 AAS	Education	93	INSURANCE - Amends existing law relating to insurance to revise provisions relating to group life insurance contract requirements and to provide requirements relating to group life insurance policies issued to certain persons..... (Senate Amendments - See Senate Journal)	251	277	LAW
160 AA	Revenue and Taxation	93	BONDS OF LIBRARY DISTRICTS - Amends existing law relating to bonds of library districts to provide that a library district may issue bonds in an amount not to exceed one percent of the market value for assessment purposes of property within the district, less any aggregate outstanding indebtedness. (House Amendments - p. 149)	170	272	LAW
161 AA	State Affairs	94	SECURITY BREACHES - Amends existing law relating to disclosure of personal information to provide that agencies, individuals and commercial entities shall notify the central office of the Idaho Attorney General and the Attorney General's Division of Consumer Protection in the event of certain breaches of security..... (House Amendments - p. 167)	180	312	VETOED
162	State Affairs	94	WORKER'S COMPENSATION - Amends existing law to provide penalties for employers who intentionally and willfully fail to secure the payment of compensation, to provide an additional factor the commission may consider in determining whether penalties should be assessed and collected; and to provide for an appeal to the full Industrial Commission on certain matters.....	-	96	H St Aff
163	Judiciary, Rules, and Administration	97	SCRAP DEALERS - Repeals and adds to existing law to recodify the law regulating scrap dealers.	157	277	LAW
164	Judiciary, Rules, and Administration	97	PEACE OFFICER STANDARDS AND TRAINING COUNCIL - Amends existing law relating to the Peace Officer Standards and Training Council to extend the council's duties to include the maintenance of the law enforcement employment history by agency and dates of service of peace officers and of certain files and transcripts of County Detention Officers and to provide that certain permanent files and transcripts shall be made available to any law enforcement agency upon request when a person applies for employment at the requesting agency.....	158	272	LAW

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165	Judiciary, Rules, and Administration	97	PUBLIC RECORDS ACT - Amends existing law relating to public writings to provide that nothing in the Public Records Act shall restrict a public agency or law enforcement agency from supplying certain personnel records to a public agency or law enforcement agency upon request and in response to certain investigations or inquiries or in judicial or administrative adjudicatory proceedings and to provide certain immunity for a public agency, law enforcement agency and such agency's employees.....	-	162	H Jud
166	Judiciary, Rules, and Administration	97	PEACE OFFICERS - Amends existing law relating to the Peace Officer Standards and Training Council to provide that no person deputized by a county sheriff or a city chief of police shall have peace officer status outside the county or city in which he was deputized and to provide an exception.	-	101	H Jud
167	Judiciary, Rules, and Administration	98	CUSTODY OF CHILDREN - Amends existing law relating to custody of children to provide additional relevant factors in determining the custody, care and education of the children of the marriage.....	-	101	H Jud
168	Judiciary, Rules, and Administration	98	SEXUAL OFFENDER REGISTRATION ACT - Amends existing law relating to the Sexual Offender Registration Act to provide that certain sexual offenders shall report to the county sheriff if the sexual offender did not provide a physical residence address at the time of registration, to provide certain reporting requirements and to provide that the sheriff shall verify the location provided by the offender.....	153	277	LAW
169	Business	98	RESIDENTIAL MORTGAGE PRACTICES ACT - Repeals and adds to existing law relating to the Residential Mortgage Practices Act.....	155	256	LAW
170	Business	98	LEAD ACID BATTERY - Amends existing law to increase the fee from five to ten dollars when a person purchases a lead acid battery.	155	307	LAW
171	Business	98	OCCUPATIONAL THERAPY ACT - Amends and adds to provisions relating to the Occupational Therapy Act including licensure provisions.....	-	105	H Bus
172	Business	99	PAYDAY LOANS - Amends existing law to provide that a lender that is not a supervised financial organization may not deposit a consumer's check, withdraw funds electronically from a consumer's account or otherwise collect the principal of, interest on or any fees or charges for, a loan subject to this part if at the time the lender makes the loan, the lender does not have a current and valid license to make loans in this state.....	-	101	H Bus
173	State Affairs	102	DEPARTMENT OF ADMINISTRATION - GROUP INSURANCE - Amends existing law relating to the Department of Administration and group insurance to revise provisions relating to the use of employee unused sick leave to pay certain insurance premiums; to revise the powers and duties of the Director of the Department of Administration regarding group insurance; and to revise provisions relating to group insurance coverage for certain retirees.	116	291	LAW

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174	Education	103	MANAGED HEALTH CARE REFORM ACT - Amends existing law relating to the Managed Health Care Reform Act to provide certain contractual obligations of a managed care organization.	-	105	H Bus
175	State Affairs	106	DEATH CERTIFICATES - Amends existing law to revise fees the State Registrar is entitled to receive and to provide that for each certified copy of a death certificate there shall be charged an additional fee of one dollar to be deposited in the State Treasurer's Local Government Investment Pool, a fund hereby created for the Idaho State Association of County Coroners and to provide that such moneys shall be used for the training of newly elected coroners and for the continuing education of county coroners and their deputies.	-	109	H Loc Gov
176	State Affairs	106	COUNTY CORONERS - Amends existing law to provide that all newly elected or appointed county coroners shall attend a coroner's school within one year of taking office and to provide that such school be either sponsored or endorsed by the Idaho State Association of County Coroners and to provide continuing education requirements for county coroners.	-	109	H Loc Gov
177	State Affairs	106	STATE SPENDING - SEARCHABLE DATABASE - Adds to existing law to require the State Controller to construct and compile a searchable budget database for state spending.	-	109	H St Aff
178 AA	Judiciary, Rules, and Administration	106	SEXUAL OFFENDER REGISTRATION ACT - Amends existing law relating to the Sexual Offender Registration Act to provide that the act applies to persons convicted of certain crimes and to clarify that an offender is not required to comply with the sex offender registration requirements while incarcerated; and to require electronic monitoring of violent sexual predators. (House Amendments - p. 149)	170	337	LAW
179	Judiciary, Rules, and Administration	106	GUARDIANSHIP - Amends existing law to provide for the testamentary appointment of a guardian for a developmentally disabled person.	152	244	LAW
180	Judiciary, Rules, and Administration	106	ALCOHOLIC BEVERAGES AND MOTOR VEHICLES - Amends and adds to existing law relating to alcoholic beverages and motor vehicles to provide additional penalties; to provide requirements relating to driver's licenses and identification cards issued to interdicted persons; to prohibit certain persons from selling alcoholic liquor to interdicted persons; to provide that interdicted persons are prohibited from purchasing, consuming or possessing alcoholic beverages and to provide a penalty; to provide that interdicted persons are not allowed to purchase, possess, serve, dispense or consume beer, wine or other alcoholic liquor and to provide a penalty; and to provide that it is a misdemeanor for interdicted persons to make certain false representations or omissions relating to the selling, serving or dispensing of beer.	-	109	H Jud

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181	Judiciary, Rules, and Administration	106	PSEUDOEPHEDRINE PRODUCTS - Amends existing law relating to retail sales of pseudoephedrine products to revise the amount of grams of pseudoephedrine that can be sold, transferred or furnished by a retailer in a single transaction, to provide a daily sales limit, to revise a thirty day purchase limit, to provide for a logbook of sales of pseudoephedrine products, to remove a distribution or sale requirement, and to require the purchaser presents certain identification.	-	109	H Jud
182	Judiciary, Rules, and Administration	107	CRIMES AGAINST CHILDREN - Amends existing law relating to crimes against children to provide for additional acts that constitute injury to children that are subject to specified punishment.	-	109	H Jud
183	Judiciary, Rules, and Administration	107	CRIMINAL RECORDS - EXPUNGEMENT - Adds to existing law relating to criminal procedure to provide for the expungement of the criminal records of innocent persons.	-	109	H Jud
184	Judiciary, Rules, and Administration	107	BAIL - Repeals and adds to existing law relating to bail to provide for the Idaho Bail Act and related provisions.	152	244	LAW
185	State Affairs	107	MIDWIFERY - Amends and adds to existing law relating to midwifery to provide for legislative purpose and intent, to create the Board of Midwifery, to provide the Board of Midwifery with powers and duties, to provide for rulemaking, to provide for licensure and to provide a penalty, to provide qualifications for licensure, to provide exemptions, to provide fees, to provide client protection and to specify unprofessional conduct, to provide for disclosure and record keeping requirements and to provide for license renewal requirements, to provide immunity from vicarious liability and to provide severability; to provide reference to the Board of Midwifery; and to provide Board of Midwifery reporting requirements.	141	244	LAW
186	Business	107	MOTOR VEHICLES - TOWING - Adds to existing law relating to towed vehicles to provide for required records and definitions, to provide for requests for tow and notification, to prohibit certain requests for tow, to provide for storage, and to provide for release of vehicle, to provide for tow when vehicle operator is arrested or otherwise taken into custody, to provide for other tows, to provide for storage rates, to provide for posting of rates, to provide for relinquishment of vehicle and to provide for penalties.	-	109	H Bus
187 AAS	Business	108	MOTOR VEHICLES - SERVICE CONTRACTS - Adds to existing law relating to motor vehicles to provide notice relating to certain motor vehicle service contracts, to provide requirements, and to provide for penalties. (Senate Amendments - See Senate Journal)	321	368	LAW
188	Business	108	REAL ESTATE LICENSE LAW - Amends existing law relating to Idaho real estate license law to provide a code reference and to provide additional duties to a client.	155	272	LAW
189	Business	108	REAL ESTATE - BROKERS - Amends existing law relating to Idaho real estate license law to provide provisions relating to the requirements and responsibilities of real estate brokers and their licensees in connection with trust accounts and entrusted property.	155	272	LAW

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190	Business	108	REAL ESTATE LICENSE LAW - Amends existing law relating to Idaho real estate license law to revise provisions relating to the required contents of a seller representation agreement.	156	272	LAW
191	Business	108	LIENS - FORECLOSURES - Amends existing law relating to liens and foreclosures to delete the requirement that a certain notice be on canary yellow or some similarly colored yellow paper.	156	272	LAW
192	Business	108	HEALTH INSURANCE - Adds to existing law relating to health insurance to provide a short title, to state the purpose and intent, to provide applicability and scope, to require notice of right to external review, to provide for the request for an external review, to require the exhaustion of an internal grievance process, to provide a standard external review, to provide an expedited external review, to provide for the binding nature of an external review decision, to provide for approval of independent review organizations, to provide minimum qualifications for independent review organizations, to hold harmless independent review organizations, to provide external review reporting requirements, to provide funding of external review and to provide disclosure requirements.	136	244	LAW
193	Education	110	SCHOOL DISTRICTS - Amends existing law relating to school districts to remove a mandatory duty of the State Board of Education and to provide certain discretionary authority to the state board.	145	244	LAW
194 AAS	State Affairs	114	SPORT SHOOTING ACTIVITIES - Adds to and amends existing law relating to sport shooting activities to provide for a limitation of liability on certain sport shooting activities and to provide exceptions; and to provide an exception to governmental liability relating to certain sport shooting ranges..... (Senate Amendments - See Senate Journal)	283	316	LAW
195	State Affairs	118	VETERANS - Amends existing law relating to veterans to revise provisions relating to the County Memorial Commission and its powers.	180	368	LAW
196	State Affairs	118	PUBLIC HIGHWAYS - CITY COUNCIL - AUTHORITY - Amends existing law to include city council authority to initiate and to conduct validation proceedings involving a public highway or public right-of-way.	-	151	H Transp
197	State Affairs	118	MOTOR VEHICLES - REGISTRATION FEES - LICENSE PLATES - Amends existing law to provide to provide for a special permanent or business logo license plate for trailers and semitrailers.	-	120	H Transp
198 AA	State Affairs	118	PUBLICATION OF NOTICE - REQUIREMENTS - Amends existing law to revise the required publication of notice requirements relating to notice of the general terms of written agreements for transfer or conveyances of real or personal property between units of government or districts..... (House Amendments - p. 206)	222	368	LAW

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199	Education	118	BOARD OF EDUCATION - RETIREMENT PLANS - Adds to existing law to provide that the State Board of Education and the Board of Regents of the University of Idaho may establish additional retirement plans for college, university and state board employees.	149	371	LAW
200	State Affairs	118	ENERGY RESOURCES AUTHORITY - Amends existing law to provide additional powers of the state treasurer to invest state funds or other funds in fixed or variable rate bonds of the Idaho Energy Resources Authority upon certain conditions.	-	120	H Env
201	State Affairs	121	ELECTIONS - Amends, adds to and repeals existing law to limit elections to two dates in each calendar year, except for school districts that are allowed two additional election dates; to specify those elections to be held in even-numbered years and those elections to be held in odd-numbered years; to transition certain terms of office from an odd number of years to four year or six year terms; to provide for all elections to be conducted by the appropriate county clerk, except for water districts, ground water recharge districts, ground water management districts and irrigations districts; to provide for an annual distribution from sales tax revenues to counties to fund the additional cost of conducting elections and to provide a report.	152	152	S St Aff
202	State Affairs	129	STATE FIRE MARSHAL - Amends existing law relating to the State Fire Marshal to provide for adoption of later editions of the International Fire Code by the Legislature; to revise applicability provisions to provide the State Fire Marshal shall have certain powers and duties over buildings, structures and premises owned or leased by the state or its political subdivisions; to provide that the State Fire Marshal shall transmit specified annual reports to the Governor and Legislature; and to revise inspection provisions and to provide that counties and cities may contract with the State Fire Marshal to provide inspections.	207	207	S Com/HuRes
203 AA	Revenue and Taxation	129	TAXATION - RENEWABLE ENERGY PROJECTS - Amends existing law to provide a property tax exemption for renewable energy projects and to provide an energy tax on renewable energy projects to be paid to local units of government in lieu of the property tax. (House Amendments - p. 188)	203	203	S Loc Gov
204	Revenue and Taxation	129	INCOME TAXATION - Amends existing law to provide that resident trusts can claim a credit for taxes paid to another state and to revise procedures for taxation of an estate or trust.	-	131	H Rev/Tax
205	Revenue and Taxation	129	HIGHWAY DISTRICTS - ELECTIONS - Adds to existing law to provide procedures in any election for a highway district commissioner if there is only one qualified candidate nominated.	178	256	LAW
206	Revenue and Taxation	130	HIGHWAY DISTRICTS - BUDGETS - Amends and repeals existing law to provide that highway district commissioners shall, prior to certifying a property tax levy to the commissioners and a county assessor, adopt a budget and cause a public hearing to be held on the budget.	178	256	LAW

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207	Revenue and Taxation	130	RIGHT OF ENTRY - DUE DILIGENCE - Amends existing law to provide that agents and employees of the Transportation Board, county commissioners and highway district commissioners shall have the right to enter upon any land to make surveys, environmental assessments, relocation assessments or appraisals of such lands.	-	131	H Transp
208	Revenue and Taxation	130	PROPERTY - EXEMPT FROM TAXATION - Amends existing law to provide that a renewable energy device attached to residential property shall be exempt from taxation.	-	131	H Rev/Tax
209	Revenue and Taxation	130	PROPERTY - TAX EXEMPTION - Adds to existing law to provide that certain energy property shall be exempt from taxation.	-	131	H Rev/Tax
210	Resources and Conservation	144	COMPREHENSIVE AQUIFER MANAGEMENT PLAN - Adds to existing law to provide that the Comprehensive Aquifer Management Plan for the Eastern Snake Plain Aquifer is approved as a component of the Comprehensive State Water Plan; to provide that the Idaho Water Resource Board shall prepare and submit a funding mechanism to the Legislature for approval; and to provide that implementation of Phase I of the plan is subject to legislative approval of a funding mechanism.	-	146	H Res/Con
211	Education	144	HIGHER EDUCATION - RESIDENCY REQUIREMENTS - Amends existing law relating to residency requirements for public institutions of higher education to revise the definition of "resident student."	377	389	LAW
212	Education	144	PUBLIC CHARTER SCHOOLS - Amends existing law relating to public charter schools to provide for notice relating to a petition for a non-virtual public charter school, to provide for certain comments and to provide for notice to the public charter school commission; to provide for a hearing, to provide for notice to the board of the local school district and to provide for certain comments.	175	277	LAW
213	State Affairs	147	VESSELS - Amends existing law relating to vessels to provide for additional fees for specified vessels, to provide for stickers, to provide for collection and deposit of fees in the Invasive Species Fund and to provide exceptions.	178	272	LAW
214	State Affairs	147	EARLY FETAL DEATH - Amends and adds to existing law relating to early fetal death to provide a public records exception; and to provide for certificates of early fetal death.	199	199	H FAILED
215	State Affairs	147	TELECOMMUNICATIONS ACT OF 1988 - Amends existing law relating to the Telecommunications Act of 1988 to revise certain eligibility requirements, to provide distribution from the universal service fund to individual eligible telecommunication carriers that meet certain residual revenue requirements, to provide purposes for distributions from the fund, and to provide distributions from the fund to an eligible telecommunications carrier that meets certain requirements.	-	150	H St Aff

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216 AA	State Affairs	147	PHARMACISTS AND PHARMACIES - Amends and adds to existing law to provide freedom of conscience for pharmacists, pharmacies and institutions and that no person shall be required to provide for any pharmaceutical care or drug that violates his or her conscience. (House Amendments - p. 206)	226	226	S Health/Wel
217 AAS	State Affairs	148	MOTOR VEHICLES - DEALERS - SALESMEN - Amends existing law relating to motor vehicles and dealers and salesmen licensing to delete provisions relating to the termination, nonrenewal or cancellation of certain franchises, to delete provisions relating to fair and reasonable compensation, to delete provisions relating to certain rental payments, to provide that a manufacturer shall not cancel, terminate or fail to renew certain franchise agreements unless certain requirements are satisfied, to provide provisions relating to the termination, cancellation or nonrenewal of certain franchise agreements, to provide provisions relating to the repurchase of certain items, to provide for certain compensation, to provide provisions relating to repurchase within a certain time period, to provide provisions relating to a security interest, to provide exceptions for the application of law, to provide for penalties, to provide for certain reimbursements and to provide for application of law..... (Senate Amendments - See Senate Journal)	251	277	LAW
218 AAS	State Affairs	148	BUILDING CODES - Amends existing law relating to building codes to delete provisions relating to certain International Building Code sections and to exempt certain buildings from certain provisions of the International Fire Code, the International Building Code and the International Residential Code. (Senate Amendments - See Senate Journal)	320	368	LAW
219	State Affairs	148	HIGHWAY DISTRIBUTION ACCOUNT - Amends existing law relating to the Highway Distribution Account and the Idaho State Police to revise distributions from the Highway Distribution account and to provide effective dates.....	-	150	H Transp
220	State Affairs	148	BUILDING SAFETY - Amends existing law relating to the Division of Building Safety to revise membership of the Idaho Building Code Board; to adopt 2006 editions of certain codes, to provide for adoption of subsequent editions, to prohibit certain amendments, to provide for an effective date following code adoption and to provide for hearings; and to provide for adoption of certain codes, to provide provisions relating to the adoption of certain codes by local jurisdictions and to provide for hearings and notice.	179	307	LAW
221	Education	151	TUITION - PROFESSIONAL-TECHNICAL EDUCATION - Adds to existing law relating to tuition for professional-technical students to provide for use of certain moneys for tuition for professional-technical students and to provide for a list of enrollees.	-	154	H Educ
222	Education	154	JUVENILE CORRECTIONS ACT - Amends existing law relating to the Juvenile Corrections Act to provide that self-insured counties providing Worker's Compensation Insurance for persons performing community service are not required to remit a certain fee to the State Insurance Fund.....	180	277	LAW

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223	Education	154	CRIME VICTIMS - Amends and adds to existing law relating to victims of crimes to provide a public records exemption; and to provide for the confidentiality of the identity of victims of certain sexual crimes.	-	161	H Jud
224	Education	154	NURSING EDUCATOR SCHOLARSHIP ACT - Adds to existing law to provide a Nursing Educator Scholarship Act.	-	161	H Educ
225 AA	Education	154	DAY CARE - ACCESS TO INFORMATION - Adds to existing law relating to day care to provide for access to certain information regarding day care..... (House Amendments - p. 233)	253	253	S Health/Wel
226	State Affairs	162	MOTOR VEHICLES - REGISTRATION FEES - LICENSE PLATES - Amends existing law to provide for a special permanent or business logo license plate for trailers and semitrailers, to provide procedures and to provide for remittance of fees; to revise registration provisions for a trailer or semitrailer and to provide registration provisions for a trailer or semitrailer based in another jurisdiction.....	198	389	LAW
227	State Affairs	162	PAYDAY LOANS - Amends existing law to provide that a payday loan made in this state in violation of the licensing requirement of the Department of Finance is void, uncollectible and unenforceable, to provide that for any such payday loan the debtor is not obligated to pay the principal or any fee associated with such payday loan, to provide procedures and to provide for cease and desist actions by the Director of the Department of Finance; and to revise payday loan procedures.	-	165	H Bus
228	State Affairs	163	LOTTERY - Amends existing law relating to the lottery to provide for specified transfers of net income from the lottery, to require the lottery to ensure specified conditions and to provide for adjustments; and to provide for the consideration of certain lottery moneys distributed in calculating amounts to be distributed by the State Tax Commission.	-	165	H St Aff
229	State Affairs	166	MARTIAL LAW - Amends existing law relating to martial law to prohibit additional restrictions on the lawful possession, transfer, sale, transport, storage, display or use of firearms or ammunition during a state of extreme emergency.....	207	322	LAW
230	State Affairs	166	PERSONAL SERVICE CONTRACTS - Amends existing law relating to publication of personal service contracts to revise provisions relating to the publication of personal service contracts.	207	316	LAW
231	State Affairs	166	PERSI - RETIREMENT ALLOWANCES - Amends existing law relating to the Public Employee Retirement System to revise provisions relating to certain members' initial service retirement allowance; and to revise provisions relating to certain members' accrued retirement allowance.	207	324	LAW
232 AAS	Revenue and Taxation	169	INCOME TAXATION - Amends existing law to revise procedures for taxation of an estate or trust for state income tax purposes.....	287	322	LAW

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			(Senate Amendments - See Senate Journal)			
233 AA	Revenue and Taxation	169	PROPERTY - EXEMPT FROM TAXATION - Amends existing law to provide that a renewable energy device attached to residential property shall be exempt from taxation; and to provide that certain energy property shall be exempt from taxation. (House Amendments - p. 190)	203	203	S Loc Gov
234	Revenue and Taxation	169	TRUST DEEDS - FORECLOSURES - Amends existing law relating to trust deeds to revise provisions relating to transfers in trust to secure the performance of an obligation and foreclosure; to revise provisions relating to the disposition of proceeds received at the trustee's sale; and to revise provisions relating to money judgments.	-	173	H Jud
235	Revenue and Taxation	169	FORECLOSURES AND DEFICIENCY JUDGMENTS - Amends existing law relating to foreclosures and deficiency judgments to provide limitations on the institution of certain judicial actions against certain persons, to remove provisions allowing the beneficiary to bring an action without certain consequences, waivers or alternate pleading requirements, to provide that if the beneficiary obtains a judgment, the lien shall not attach to substantially valueless property; to provide against whom a money judgment may be sought, to provide for application of any proceeds received from the property sale, to provide a certain credit against a deficiency owing, to provide for the application of certain limitations to the amount of indebtedness of a guarantor and to provide that any attempt by contract or otherwise to waive any provision of the section shall be void as against public policy.	-	173	H Jud
236	Revenue and Taxation	169	FORECLOSURES AND DEFICIENCY JUDGMENTS - Amends existing law relating to foreclosures and deficiency judgments to provide for but one action against obligors and guarantors for recovery of any debt or the enforcement of any right secured by mortgage upon real estate; to revise how and when the value of mortgaged property is determined, to provide a limitation on a deficiency judgment, to provide for application of proceeds from the sale of the property, to provide a certain credit against a deficiency owing, to apply the protections to certain persons with a qualification, and to provide that any attempt to waive by contract or otherwise any provision shall be void as against public policy.	-	173	H Jud
237 AA	State Affairs	174	LOBBYISTS - Amends existing law relating to lobbyists to correct code references; to revise prohibited actions of a person required to register as a lobbyist; and to provide that a certain subsequent violation shall be a felony. (House Amendments - p. 234)	-	266	H St Aff
238	State Affairs	174	RECORDED DOCUMENTS - FEES - DUPLICATION - Amends existing law to revise provisions for determining the fee for duplication of recorded documents in excess of one hundred pages or for continuous electronic copy requests for duplication of records.	-	177	H St Aff

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239	State Affairs	174	FISH AND GAME - Amends existing law relating to fish and game to revise the definition of "senior resident"; and to revise senior resident combination license provisions.	-	177	H Res/Con
240 AA	State Affairs	174	FISH AND GAME - BIG GAME DEPREDAATION FUND - Amends existing law relating to fish and game to delete certain payment priority provisions relating to the Big Game Depredation Fund. (House Amendments - p. 206)	223	322	LAW
241	State Affairs	174	NEIGHBORHOOD ELECTRIC VEHICLES - Amends existing law relating to neighborhood electric vehicles to revise speed limits relating to the operation of neighborhood electric vehicles.	202	316	LAW
242	Revenue and Taxation	174	IDAHO SMALL EMPLOYER INCENTIVE ACT - Amends existing law to extend the sunset date to the Idaho Small Employer Incentive Act.	202	312	LAW
243	Revenue and Taxation	175	TOBACCO PRODUCTS TAX - Amends existing law to provide for taxation of little cigars.	-	177	H Rev/Tax
244 AA	Revenue and Taxation	175	LOCAL ECONOMIC DEVELOPMENT ACT - Amends existing law relating to the Local Economic Development Act to revise provisions relating to certain limits; to revise provisions relating to plans for revenue allocation areas, to provide for approval of such plans; to provide for the filing of a report, to provide requirements relating to certain filings and submittals to revenue allocation areas, to prohibit the reallocation of revenue in certain circumstances, to provide for the suspension of the reallocation of tax revenue, to provide for an exception, to provide for notice and to provide for the application of law. (House Amendments - p. 206)	222	322	LAW
245	Education	183	PARENTS AS TEACHERS FAMILY SUPPORT ACT - Adds to existing law relating to the Parents as Teachers Family Support Act to provide a short title, to state legislative findings and intent, to define terms, to provide for the Parents as Teachers Family Support Program, to provide for rulemaking authority and to provide for the Parents as Teachers Family Support Fund.	212	312	VETOED
246	Transportation and Defense	183	TRANSPORTATION AND MOTOR FUEL TAXES - Amends and adds to existing law relating to transportation and motor fuel taxes to revise the apportionment from the Highway Distribution Account; to provide for the Highway Maintenance, Preservation and Restoration Fund, to provide for apportionment of fund moneys; and to revise certain fees relating to vehicles powered by gaseous fuels.	193	193	H FAILED
247	Transportation and Defense	183	MOTOR VEHICLES - FEES - Amends existing law relating to motor vehicles to revise and provide for various fees relating to vehicles including certain registration fees and operating fees.	-	193	H Transp

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248	State Affairs	186	EMPLOYMENT SECURITY LAW - Amends existing law relating to the Employment Security Law to define "base period" and "alternative base period" for those claimants who have insufficient wages in the base period to establish eligibility for unemployment benefits; to provide that certain claimants shall not be denied regular unemployment benefits solely because they are seeking only part-time work and to provide for training extension benefits.	226	324	LAW
249 AA	State Affairs	186	UNITED STATES FLAG - IDAHO STATE FLAG - Adds to existing law to require that when a United States Flag or Idaho State Flag is purchased or sold by the state or a political subdivision, the flag shall be manufactured in the United States. (House Amendments - p. 234)	259	259	S St Aff
250	Appropriations	187	APPROPRIATIONS - OMNIBUS RESCISSION AND SUPPLEMENTAL - Declares legislative intent regarding General Fund revenues and expenditures for fiscal year 2009; adjusts the Public School appropriation; transfers dedicated funds into the General Fund; reduces General Fund appropriations for state agencies and institutions; increases appropriations from dedicated and federal funds to partially offset General Fund reductions for some agencies; and adjusts the appropriation for medicaid to account for a change in the Federal Medical Assistance Percentage (FMAP).	202	291	LAW
251	Education	187	BUILDING CODE ACT - SCHOOLS - Amends existing law relating to the Idaho Building Code Act and relating to review of plans for schools.	221	322	LAW
252	Education	187	SCHOOL DISTRICTS - FINANCIAL EMERGENCIES - Amends and adds to existing law relating to school district financial emergencies to provide for notice requirements in the event a financial emergency has been declared; to provide an exception to the issuance of certain contracts; to clarify language; to provide for an informal review under certain circumstances; to provide for a due process hearing and procedure under certain circumstances; to provide that a due process hearing is not required under certain circumstances; to provide for financial emergencies; and to provide a time requirement for preparation of a budget if a financial emergency has been declared.	208	296	LAW
253	Revenue and Taxation	192	COOPERATIVE SERVICE AGENCIES - Amends and adds to existing law relating to cooperative service agencies to revise provisions relating to certain levies for the purpose of constructing and maintaining facilities of a cooperative service agency; to provide that a cooperative service agency may request additional funding to be furnished by a tax levy, to provide for an election, to provide provisions relating to a question to be submitted, to provide for notice, to provide for certain voting percentages relating to tax levy rates, to provide for a tax levy, to provide for increasing the term and tax levy, to provide for a condition on commencing physical construction, to provide provisions relating to when one or more member districts fail to approve the tax levy, to provide for subsequent elections for certain member districts and to provide for the administration and accounting of moneys.	221	322	LAW

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254	Ways and Means	192	MOTOR VEHICLES - FEES - Amends existing law relating to motor vehicles to revise and provide for various fees relating to vehicles including certain registration fees and operating fees; and to provide for the Highway Maintenance, Preservation and Restoration Fund.	-	195	H Transp
255	Appropriations	193	APPROPRIATIONS - OFFICE OF ENERGY RESOURCES - Transfers \$1.2 million to the Renewable Energy Resources Fund and \$920,028.30 into the General Fund for fiscal year 2009.	206	291	LAW
256 AAS,AAS	Education	193	PUBLIC SCHOOLS - Amends existing law relating to public schools to revise provisions relating to the Transportation Support Program. (Senate Amendments - See Senate Journal)	333	371	LAW
257	Revenue and Taxation	196	CIGARETTES - TOBACCO - TAXES - Amends existing law relating to cigarette and tobacco products taxes to revise the distribution of certain moneys collected.	222	222	H FAILED
258 AAS	State Affairs	196	SPECIALTY LIMITED HEATING CONTRACTOR/JOURNEYMAN - Amends existing law to define a specialty limited heating contractor/journeyman for purposes of licensure by the HVAC Licensure Board and to provide a fee for examination for such speciality license. (Senate Amendments - See Senate Journal)	320	368	LAW
259	State Affairs	197	SILVER VALLEY ECONOMIC STIMULUS ACT - Amends and adds to existing law relating to taxes and mining to provide for a certain deduction from corporate income tax, and to provide for the Silver Valley Economic Stimulus Act of 2009.	-	201	H Rev/Tax
260	State Affairs	197	SKILLED NURSING FACILITY ASSESSMENT ACT - Adds to existing law providing for the Idaho Skilled Nursing Facility Assessment Act.	222	322	LAW
261	State Affairs	197	OCCUPATIONAL THERAPY ACT - Amends and adds to provisions relating to the Occupational Therapy Act including licensure provisions.	215	322	LAW
262 AAS	Education	200	EDUCATION - Amends and repeals existing law relating to education to revise provisions relating to certain severance payments; to revise provisions relating to the determination of certain allowances; to revise provisions relating to certain incentives; and to revise provisions relating to employing retired teachers and administrators. (Senate Amendments - See Senate Journal)	333	371	LAW
263	State Affairs	202	STATE SPENDING - SEARCHABLE DATABASE - Adds to existing law to require the State Controller in cooperation with the Division of Financial Management and the Legislative Services Office to construct and compile a searchable budget database for state spending.	250	254	H FAILED

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264	Ways and Means	211	COMPREHENSIVE AQUIFER MANAGEMENT PLAN - Adds to existing law to provide that the Comprehensive Aquifer Management Plan for the Eastern Snake Plain Aquifer is approved as a component of the Comprehensive State Water Plan; to provide that the Idaho Water Resource Board shall prepare and submit a funding mechanism to the Legislature for approval; to provide criteria related to the funding mechanism; and to provide that implementation of Phase I of the plan is subject to legislative approval of a funding mechanism.	224	322	LAW
265	Ways and Means	211	LEGISLATIVE SERVICES OFFICE - Amends existing law as a trailer bill to SB1043 to revise duties of the research and legislation function of the Legislative Services Office.	224	322	LAW
266	Ways and Means	211	ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules that expire on July 1, 2009, will continue to be effective until July 1, 2010, to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2010, or until such time as they expire, to provide that rules rejected by concurrent resolution shall be null, void, and of no force and effect and to authorize agencies to amend or repeal certain rules pursuant to the Administrative Procedure Act.	226	322	LAW
267 AAS	Revenue and Taxation	211	HAZARDOUS SUBSTANCE EMERGENCY RESPONSE - Amends existing law relating to the Hazardous Substance Emergency Response Act to revise the Legislature's findings and purposes; to revise definitions and to define terms; to revise provisions relating to the Military Division's powers and duties; to revise provisions relating to reimbursement of certain costs; to revise provisions relating to liability; to revise provisions relating to the release of a hazardous substance; and to revise provisions relating to recoverable costs and civil remedies. (Senate Amendments - See Senate Journal)	320	368	LAW
268	Appropriations	220	APPROPRIATIONS - LEGISLATIVE COUNCIL - Appropriates \$6,986,700 to the Legislative Council for Legislative Services Office, Legislative Technology, and the Office of Performance Evaluations; provides for reappropriation for dedicated funds; provides legislative intent on personnel costs; directs salary reductions; provides that the Legislature shall limit the amount of transfer to the Legislative Fund; and provides for an emergency clause for the implementation of the salary reduction.	246	322	LAW
269	Education	221	COOPERATIVE SERVICE AGENCIES - Amends existing law relating to cooperative service agencies; to permit a cooperative service agency to elect to be its own fiscal agent for a certain purpose under certain circumstances; to require certain educational support units to be distributed to the agency serving as the fiscal agent; and to permit a school district to authorize the transfer or conveyance of any real or personal property owned by the school district to a cooperative service agency.	267	322	LAW
270	Education	221	EDUCATION - Amends existing law relating to education to delete an exception relating to certain evaluations.	-	226	H W/M

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271	Education	221	COURSES OF INSTRUCTION - Adds to and amends existing law relating to courses of instruction to revise provisions relating to instructional staff allowance; to provide that school districts are authorized to offer instruction in the manner described for a virtual school, to provide for counting and reporting average daily attendance and to provide that school districts may offer instruction that is a blend of virtual and traditional instruction.	-	226	H W/M
272	Appropriations	232	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates \$22,092,400 to the Department of Water Resources for fiscal year 2010; limits the number of full-time equivalent positions to 165; and directs a 5% salary reduction.	252	316	VETOED
273	Appropriations	233	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Appropriates \$7,270,600 to the Department of Insurance for fiscal year 2010; and limits the number of full-time equivalent positions to 75.	252	316	VETOED
274	Appropriations	233	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates \$17,203,800 to the Industrial Commission for fiscal year 2010; and limits the number of full-time equivalent positions to 141.5.	252	316	VETOED
275	State Affairs	233	LOTTERY - Amends existing law relating to the lottery to provide for specified transfers of net income from the lottery, to require the lottery to ensure specified conditions and to provide for adjustments; and to provide for the consideration of certain lottery moneys distributed in calculating amounts to be distributed by the State Tax Commission.	252	389	LAW w/o sign
276	Appropriations	240	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates \$71,429,500 to the Department of Environmental Quality for fiscal year 2010; limits the number of full-time equivalent positions to 382.05; transfers \$1.5 million from the Water Pollution Control Fund to the Environmental Remediation Fund; requires an annual report of the superfund cleanup; expresses legislative intent regarding the Coeur d'Alene Lake Manangement plan; directs a 5% personnel cost reduction; and appropriates an additional \$1,032,900 for fiscal year 2009.	260	322	LAW
277	Appropriations	240	APPROPRIATIONS - DEPARTMENT OF LANDS - Appropriates \$53,681,400 to the Department of Lands for fiscal year 2010; limits the number of full-time equivalent positions to 264.61; directs a 5% reduction in personnel costs; and appropriates an additional \$3,450,200 to the Department of Lands for fiscal year 2009.	254	322	LAW
278	Ways and Means	240	CAMPAIGN CONTRIBUTIONS - NOTIFICATION - Amends existing law relating to campaign contributions to provide that the political treasurer for each member of the Legislature shall notify the Secretary of State, in writing, of any contribution received by the political treasurer during any convened session of the Legislature.	-	245	H St Aff
279	Ways and Means	240	PHARMACISTS - Amends existing law relating to pharmacists to revise a definition and to define a term.	-	245	H Health/Wel

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280	Appropriations	240	APPROPRIATIONS - IDAHO STATE LOTTERY - Appropriates \$11,052,000 to the Idaho State Lottery; limits the number of full-time equivalent positions to 47; clarifies the scope of the appropriation; provides legislative intent for continuous appropriation; directs salary reductions; and provides an emergency clause for the implementation of the salary reduction.	254	316	VETOED
281	Revenue and Taxation	245	INCOME TAXATION - Amends Section 1 of House Bill No. 64, As Amended in the Senate, As Amended in the Senate, relating to income taxes to update references to the Internal Revenue Code and to delete language providing that the additional standard deduction for real property taxes for nonitemizers does apply.	260	322	LAW
282	Appropriations	249	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Appropriates \$12,515,900 to the Division of Building Safety; limits the number of full-time equivalent positions to 152; provides legislative intent on personnel costs; directs salary reductions; and provides for an emergency clause for the implementation of the salary reduction.	266	316	VETOED
283	Appropriations	249	APPROPRIATIONS - HUMAN RESOURCES - Appropriates \$2,065,900 to the Division of Human Resources for fiscal year 2010; limits the number of full-time equivalent positions to 15; directs the transfer of certain moneys; directs the collection of certain fees for agencies not operating under a memorandum of understanding; directs the payment for training; provides legislative intent on personnel costs; directs salary reductions; and directs adjustments to the pay schedule.	266	316	VETOED
284	Appropriations	249	APPROPRIATIONS - COMMISSION ON THE ARTS - Appropriates \$1,970,400 to the Office of the Governor for the Commission on the Arts for fiscal year 2010; and limits the number of full-time equivalent positions to 11.	266	316	VETOED
285	Ways and Means	249	ELECTIONS - Amends, adds to and repeals existing law relating to elections to provide for proof of identity and residence relating to procedures for registration, to provide for proof of identity relating to election day registration and to revise provisions relating to proof of residence; to provide for proof of identity relating to absent electors' polling places; to provide that electors desiring to vote shall provide proof of identity, to define "proof of identity," to provide for a felony; and to provide for a voter identification card.	-	256	H St Aff
286 AAS	Ways and Means	249	HIGHWAY PROJECT FINANCING - Amends existing law relating to federally funded highway project financing to revise the description of an eligible project. (Senate Amendments - See Senate Journal)	304	385	H Not Concur
287	Ways and Means	249	EMPLOYEE FIREARM STORAGE - Adds to existing law relating to immunities to provide an immunity of employers for allowing certain employee firearm storage.	283	363	LAW
288	Ways and Means	249	COMMUNITY INFRASTRUCTURE DISTRICTS - Amends and repeals existing law relating to community infrastructure districts.	-	256	H W/M

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289	Appropriations	250	APPROPRIATIONS - SECRETARY OF STATE - Appropriates \$2,048,200 to the Secretary of State; limits the number of full-time equivalent positions to 30; provides legislative intent on personnel costs; and directs salary reductions.	-	256	H Approp
290	Appropriations	250	APPROPRIATIONS - STATE TREASURER - Appropriates \$2,318,100 to the State Treasurer; provides for the recovery of banking services costs; reappropriates certain balances of moneys; limits the number of full-time equivalent positions to 18; requires certain moneys be expended for bank service fees; provides legislative intent on personnel costs; and directs salary reductions.	266	322	LAW
291	Appropriations	250	APPROPRIATIONS - LIEUTENANT GOVERNOR - Appropriates \$150,000 to the Lieutenant Governor; limits the number of full-time equivalent positions to no more than three; provides legislative intent on personnel costs; directs salary reductions; and provides for an emergency clause for the implementation of the salary reduction.	267	322	LAW
292	Appropriations	250	APPROPRIATIONS - MILITARY DIVISION - Appropriates \$56,856,400 to the Military Division for fiscal year 2010; limits the number of full-time equivalent positions to 237.8; grants a continuing appropriation for the Bureau of Homeland Security's Miscellaneous Revenue Fund; provides legislative intent on personnel costs; and directs salary reductions.	267	316	VETOED
293	Appropriations	257	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Appropriates \$30,270,700 to the Department of Commerce for fiscal year 2010; limits the number of full-time equivalent positions to 56; provides legislative intent on the Business and Jobs Development Fund; provides legislative intent on personnel costs; and directs salary reductions.	269	316	VETOED
294	Appropriations	257	APPROPRIATIONS - STATE CONTROLLER - Appropriates \$14,533,100 to the State Controller for fiscal year 2010; limits the number of full-time equivalent positions to 98; provides for the recovery of services costs; directs the collection of moneys for health benefits; reappropriates certain fund balances; provides legislative intent on personnel costs; and directs salary reductions.	270	322	LAW
295	Appropriations	257	APPROPRIATIONS - SOIL CONSERVATION COMMISSION - Appropriates \$4,589,500 to the Soil Conservation Commission for fiscal year 2010; limits the number of full-time equivalent positions to 24; provides legislative intent on personnel costs; and directs salary reductions.	270	316	VETOED
296	Appropriations	257	APPROPRIATIONS - SUPREME COURT - Appropriates and directs the transfer of \$646,800 from the General Fund to the Guardian Ad Litem Fund; appropriates \$41,451,400 to the Supreme Court for fiscal year 2010, provides legislative intent on personnel costs; and directs salary reductions.	271	322	LAW

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297	Appropriations	257	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Appropriates \$1,370,600 to the State Independent Living Council for fiscal year 2010; directs a transfer of funds to the State Independent Living Council Fund; provides legislative intent on personnel costs; and directs a salary reduction.	271	316	VETOED
298	Appropriations	259	APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS - Appropriates \$303,900 to the Idaho Commission on Hispanic Affairs; limits the number of full-time equivalent positions to 3; provides legislative intent on personnel costs; and directs salary reductions.	275	316	VETOED
299	Appropriations	265	APPROPRIATIONS - OFFICE OF DRUG POLICY - Appropriates \$440,300 to the Office of Drug Policy for fiscal year 2010; appropriates \$6,141,300 to specified agencies for statewide substance abuse services for fiscal year 2010; provides legislative intent on personnel costs; and directs salary reductions.	283	363	LAW
300	Appropriations	265	APPROPRIATIONS - PUBLIC HEALTH TRUST FUND- Appropriates moneys and directs a transfer of \$9,305,100 to the Public Health Trust Fund for fiscal year 2010; provides legislative intent on personnel costs; and directs salary reductions.	280	316	VETOED
301	Appropriations	265	APPROPRIATIONS - DEPARTMENT OF JUVENILE CORRECTIONS - Appropriates \$47,384,800 to the Department of Juvenile Corrections for fiscal year 2010; limits the number of full-time equivalent positions; provides legislative intent on personnel costs; and directs salary reductions.	280	363	LAW
302	Appropriations	265	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Appropriates \$32,726,500 to the Department of Agriculture for fiscal year 2010; limits the number of full-time equivalent positions to 197.05; directs the transfer of certain funds; provides legislative intent on personnel costs; and directs salary reductions.	280	363	LAW
303 AAS,AAS	Ways and Means	265	EDUCATION - VIRTUAL SCHOOL - Amends and adds to existing law relating to education to revise provisions relating to instructional staff allowance; to provide that school districts may offer virtual school instruction and a blend of virtual and traditional instruction and to provide for the counting and reporting of average daily attendance. (Senate Amendments - See Senate Journal)	386	389	LAW
304	Ways and Means	265	LAWS AGAINST GAMING - Repeals existing law relating to local officers enforcing the laws against gaming.	-	272	H W/M
305	Ways and Means	265	WORKER'S COMPENSATION - Amends existing law relating to worker's compensation and related laws to provide for attorney's fees and certain costs.	-	272	H Com/HuRes

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306	Ways and Means	265	PHARMACISTS - TELEPHARMACIES - Amends and adds to existing law relating to pharmacists to revise the definition of the "practice of pharmacy"; to define new terms; to provide for registration to engage in the practice of pharmacy across state lines; to require an application for a certificate of registration for a telepharmacy drug outlet across state lines; to provide for the registration of certain individuals engaged in the practice of telepharmacy across state lines; and to provide for the payment of certain fees by certain drug outlets.	286	330	LAW
307	Ways and Means	265	SALES TAX REVENUES - DISTRIBUTION - Amends existing law relating to the distribution of sales tax revenues to provide for a distribution to the Highway Maintenance, Preservation and Restoration Fund of sales and use tax revenues collected from the sale of new and used motor vehicles.	-	272	H W/M
308	Appropriations	273	APPROPRIATIONS - HEALTH EDUCATION PROGRAMS - STATE BOARD OF EDUCATION - Appropriates \$10,550,500 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs; limits the number of full-time equivalent positions to 21.04; provides for reappropriation for dedicated funds; provides legislative intent on personnel costs; and directs salary reductions.	287	362	LAW
309	Appropriations	273	APPROPRIATIONS - COMMUNITY COLLEGES - Appropriates \$28,632,200 to the State Board of Education for Community Colleges for fiscal year 2010; and provides for allocation among the community colleges.	287	362	LAW
310	Appropriations	273	APPROPRIATIONS - SPECIAL PROGRAMS - STATE BOARD OF EDUCATION - Appropriates \$10,847,900 to the State Board of Education and the Board of Regents of the University of Idaho for Special Programs; limits the number of full-time equivalent positions to 34.4; provides for reappropriation; provides legislative intent on personnel costs; and directs salary reductions.	287	362	LAW
311	Appropriations	282	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Appropriates \$508,620,200 to the Idaho Transportation Department; limits the number of full-time equivalent positions to 1,833.5; expresses intent with regard to certain transfers being continuously appropriated; reappropriates certain balances for contract construction and right-of-way acquisition; reappropriates certain balances for airport development grants; authorizes the transfer of moneys to the Tourism and Promotion Fund; reappropriates certain balances of Title XII American Recovery and Reinvestment Act of 2009 funds; provides legislative intent on personnel costs; directs salary reductions; and appropriates moneys to the Idaho Department of Transportation for fiscal year 2009.	298	363	LAW

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312	Appropriations	282	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Appropriates \$34,256,800 to the Superintendent of Public Instruction; limits the number of full-time equivalent positions; provides legislative intent on personnel costs; directs salary reductions; and provides legislative intent regarding the Longitudinal Data System.	298	322	LAW
313	Appropriations	286	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - DIVISION OF WELFARE - Appropriates \$170,016,400 to the Department of Health and Welfare for the Division of Welfare for fiscal year 2010; limits the number of full-time equivalent positions to 631.69; provides that the State Controller shall make transfers from the General Fund; directs that funds for trustee and benefit payments shall not be transferred; reappropriates funding for the cooperative welfare fund; directing appropriations from the Temporary Assistance for Needy Families Fund for Headstart Services; appropriates additional funding to the Department of Health and Welfare for fiscal year 2009; authorizes additional full-time equivalent positions; provides legislative intent on the personnel costs; directs salary reductions; directs the Department of Health and Welfare regarding education stipends for the Department of Health and Welfare employees; and allows for transfers between personnel costs and operating expenditures.	304	322	LAW
314	Appropriations	286	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - INDEPENDENT COUNCILS - Appropriates \$4,656,900 to the Department of Health and Welfare for the Independent Councils for fiscal year 2010; provides that the State Controller shall make transfers from the General Fund; limits the number of full-time equivalent positions for the Independent Councils; provides legislative intent for the education stipend for Department of Health and Welfare employees; allows transfers between personnel costs and operating expenditures; provides legislative intent on personnel costs; and directs salary reductions.	304	362	LAW
315	Appropriations	292	APPROPRIATIONS DEPARTMENT OF HEALTH AND WELFARE SUBSTANCE ABUSE TREATMENT AND PREVENTION - Appropriates \$22,922,700 for the Department of Health and Welfare for substance abuse services in the Substance Abuse Treatment and Prevention Program for fiscal year 2010; limits the number of full-time equivalent positions to 13.04; provides that the State Controller shall make transfers from the General Fund; directs expenditures for radar funding; directs expenditures for gain provider training; directs expenditures for statewide media campaign for underage drinking; provides legislative intent for the education stipend for the Department of Health and Welfare employees; directs that funds for trustee and benefit payments shall not be transferred; allows transfers between personnel costs and operating expenditures; provides legislative intent on personnel costs; and directs salary reductions.	305	362	LAW

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316	Appropriations	292	APPROPRIATIONS DEPARTMENT OF HEALTH AND WELFARE INDIRECT SUPPORT SERVICES - Appropriates \$37,313,400 to the Department of Health and Welfare for Indirect Support Services for fiscal year 2010; limits the number of full-time equivalent positions to 302.92; provides that the State Controller shall make transfers from the General Fund; provides that the State Controller shall make transfers from the General Fund for Senate Bill 1199; appropriates additional moneys to the Department of Health and Welfare for Indirect Support Services for fiscal year 2009; directs the management of vehicles; provides legislative intent for the education stipend for the Department of Health and Welfare employees; allows transfers between personnel costs and operating expenditures; provides legislative intent on personnel costs; and directs salary reductions.....	308	362	LAW
317	Appropriations	292	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - SERVICE INTEGRATION - Appropriates \$2,961,700 to the Department of Health and Welfare for the Service Integration program for fiscal year 2010; limits the number of full time equivalent positions to 33; provides that the State Controller shall make transfers from the General Fund; directs that funds for trustee and benefit payments shall not be transferred; provides legislative intent for the education stipend for Department of Health and Welfare employees; allows transfers between personnel and operating costs; provides legislative intent on personnel costs; and directs salary reductions.....	308	362	LAW
318	Appropriations	293	APPROPRIATIONS DEPARTMENT OF HEALTH AND WELFARE SERVICES FOR THE DEVELOPMENTALLY DISABLED Appropriates \$41,553,800 to the Department of Health and Welfare for services for the developmentally disabled for fiscal year 2010; limits the number of full-time equivalent positions to 550.95; appropriates additional moneys to the Department of Health and Welfare for the Idaho State School and Hospital for fiscal year 2009; reduces the appropriation to the Department of Health and Welfare for the Idaho State School and Hospital for fiscal year 2009; provides that the State Controller shall make transfers from the General Fund; directs that the funds for trustee and benefit payments shall not be transferred; requires Idaho State School and Hospital to complete a client transition review and report to the Legislature; provides legislative intent for the Infant and Toddler Database System; provides legislative intent for the education stipend for the Department of Health and Welfare employees; allows transfers between personnel costs and operating expenditures; provides legislative intent on personnel costs; and directs salary reductions.....	308	362	LAW

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319	Appropriations	293	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - CHILD WELFARE DIVISION - Appropriates \$56,814,100 for the Department of Health and Welfare for the Child Welfare Division for fiscal year 2010; limits the number of full-time equivalent positions; provides legislative intent for the education stipend for Department of Health and Welfare employees; allows transfers between personnel costs and operating expenditures; provides that the State Controller shall make transfers from the General Fund; directs that funds for trustee and benefit payments shall not be transferred; provides legislative intent on personnel costs; directs salary reductions; appropriates additional moneys to the Department of Health and Welfare for the Foster and Assistance Payments Program for fiscal year 2009; and reduces the appropriation to the Department of Health and Welfare for the Foster and Assistance Payments Program for fiscal year 2009.	305	362	LAW
320	Appropriations	293	APPROPRIATIONS DEPARTMENT OF HEALTH AND WELFARE PSYCHIATRIC HOSPITALIZATION - Appropriates \$30,704,500 to the Department of Health and Welfare for psychiatric hospitalization for fiscal year 2010; limits the number of full-time equivalent positions to 374.61; appropriates additional moneys to the Department of Health and Welfare for fiscal year 2009; reduces the appropriation to the Department of Health and Welfare for fiscal year 2009; provides that the State Controller shall make transfers from the General Fund; directs that funds for trustee and benefit payments shall not be transferred; provides legislative intent for the education stipend for Department of Health and Welfare employees; allows transfers between personnel costs and operating expenditures; provides legislative intent on personnel costs; and directs salary reductions.	306	362	LAW
321	Appropriations	293	APPROPRIATIONS DEPARTMENT OF HEALTH AND WELFARE MENTAL HEALTH SERVICES - Appropriates \$36,185,700 to the Department of Health and Welfare for Mental Health Services for fiscal year 2010; limits the number of full-time equivalent positions for the Children's Mental Health Program and the Adult Mental Health Program to 335.59; appropriates additional moneys to the Department of Health and Welfare for the Children's Mental Health Program for fiscal year 2009; reduces the appropriation to the Department of Health and Welfare for the Children's Mental Health Program for fiscal year 2009; provides that the State Controller shall make General Fund transfers; provides that the State Controller shall make transfers from the Drug Court, Mental Health Court and Family Court Services Fund; directs an interagency payment for a juvenile detention clinicians contract; limits the transfer of trustee and benefit payments; provides legislative intent with regard to Children's Mental Health contract treatment services; directs a report relating to Children's Mental Health Day treatment services; provides legislative intent on personnel costs; directs salary reductions; directs the use of certain moneys in the Community Mental Health Grant Program; provides legislative intent for the education stipend for the Department of Health and Welfare employees; allows the transfer between personnel costs and operating expenditures; and provides legislative intent on personnel costs.	309	362	LAW

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322	Appropriations	293	APPROPRIATIONS DEPARTMENT OF HEALTH AND WELFARE MEDICAL ASSISTANCE SERVICES - Appropriates \$1,507,229,300 to the Department of Health and Welfare for medical assistance services for fiscal year 2010; limits the number of full-time equivalent positions to 283; provides that the State Controller shall make transfers from the General Fund; provides legislative intent for the education stipend for the Department of Health and Welfare employees; allows transfers between personnel costs and operating expenditures; authorizes the expenditure of all receipts collected; authorizes a transfer of certain moneys appropriated for trustee and benefit payments; provides legislative intent for cost containment measures; provides legislative intent on personnel costs; and directs salary reductions.	306	362	LAW
323	Appropriations	296	APPROPRIATIONS - PUBLIC SCHOOLS, DIVISION OF ADMINISTRATORS - Appropriates \$81,491,100 to the Public Schools Support Program, Division of Administrators; provides legislative intent that certain benefits be paid; and decreases base salaries for administrative staff.	337	363	LAW
324	Appropriations	297	APPROPRIATIONS PUBLIC SCHOOLS, DIVISION OF TEACHERS - Appropriates \$756,212,500 to the Teachers Division of the Public Schools budget and provides legislative intent on funding distributions and salary and benefit allocations.	337	363	LAW
325	Appropriations	297	APPROPRIATIONS PUBLIC SCHOOLS, OPERATIONS DIVISION - Appropriates \$578,726,100 to the Operations Division of the Public Schools budget and provides legislative intent on funding distributions, salary and benefit allocations, and discretionary funding.	338	363	LAW
326	Appropriations	297	APPROPRIATIONS PUBLIC SCHOOLS, CHILDREN'S PROGRAMS DIVISION- Appropriates \$268,729,800 to the Childrens Programs Division of the Public Schools budget and provides legislative intent on funding distributions for special programs and provides for a review of the Safe and Drug-Free Schools Program.	338	363	LAW
327	Appropriations	297	APPROPRIATIONS PUBLIC SCHOOLS, FACILITIES DIVISION - Appropriates \$17,900,000 to the Facilities Division of the Public Schools budget and provides legislative intent on funding distributions to the Bond Levy Equalization Program and legislative intent on state maintenance matching funds.	338	363	LAW
328	Ways and Means	317	SCHOOL BUILDING MAINTENANCE FUNDS - Amends existing law relating to school building maintenance funds to provide for alternative uses of certain school building maintenance funds.	-	319	H Educ
329	Ways and Means	317	FUELS - Amends existing law relating to fuels to delete certain deductions; and providing an effective date.	-	327	H W/M

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330	Appropriations	319	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Appropriates \$23,006,700 to the Office of Species Conservation for fiscal year 2010; limits the number of full-time equivalent positions to 8; and directs a 5% personnel cost reduction.	338	379	LAW
331	Appropriations	320	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Appropriates \$36,446,200 to the Department of Parks and Recreation for fiscal year 2010; limits the number of full-time equivalent positions to 164.5; allows certain transfers between programs; provides reappropriation authority for the Capital Development Program; and directs a 5% personnel cost reduction.	339	379	LAW
332	Appropriations	320	APPROPRIATIONS - PUBLIC EMPLOYEE RETIREMENT SYSTEM - Appropriates \$7,213,500 to the Public Employee Retirement System for fiscal year 2010; limits the number of full-time equivalent positions to 65; clarifies the appropriation for the Portfolio Investment Program; provides legislative intent on personnel costs; and directs salary reductions.	339	379	LAW
333	Appropriations	322	APPROPRIATIONS - FISH AND GAME DEPARTMENT - Appropriates \$73,368,000 to the Department of Fish and Game for fiscal year 2010; limits the number of full-time equivalent positions to 528; directs the transfer of \$200,000 from the Winter Feeding Set-aside Fund to the Depredation Control Set-aside Fund; appropriates an additional \$2,112,000 to the Department of Fish and Game for fiscal year 2010; and directs a salary reduction.	339	379	LAW
334	Ways and Means	322	MOTOR VEHICLE FEES - Amends existing law to provide legislative intent and to increase certain motor vehicle fees for titles, registrations, driver's licenses, identification cards and for certification of self-insurance.	361	389	LAW
335	Ways and Means	323	UNEMPLOYMENT BENEFITS - Amends existing law relating to unemployment benefits to provide for a state "on" indicator relating to the American Recovery and Reinvestment Act of 2009, to revise provisions relating to a state "off" indicator and to provide for total extended benefit amounts in high unemployment periods.	339	379	LAW
336	Ways and Means	323	MOTOR VEHICLES - REGISTRATION FEES - Amends existing law relating to motor vehicles to revise annual registration fees for certain vehicles.	-	324	H Transp
337	Ways and Means	324	MOTOR VEHICLE REGISTRATION FEES - Amends existing law to increase certain registration fees on motor carriers.	-	330	H Transp
338 AAS	Ways and Means	328	FUELS - Amends existing law relating to fuels to delete certain deductions. (Senate Amendments - See Senate Journal)	387	389	LAW

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339	Ways and Means	330	EDUCATION - Amends, repeals and adds to existing law relating to education to revise provisions relating to certain severance payments; repealing provisions relating to early retirement incentives, to revise provisions relating to employing retired teachers and administrators; to revise provisions relating to instructional staff allowance; to provide for alternative uses of certain school building maintenance funds; to provide that school districts may offer virtual school instruction, to provide that school districts may offer a blend of virtual and traditional instruction and to provide for the counting and reporting of average daily attendance.....	-	345	H Educ
340	Ways and Means	331	STATE INSURANCE FUND - Adds to and repeals existing law relating to the State Insurance Fund and provides that public corporations may insure against certain liability with the State Insurance Fund or certain licensed insurance carriers.	-	332	H Held at Desk
341	Appropriations	331	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates \$22,092,400 to the Department of Water Resources for fiscal year 2010; limits the number of full-time equivalent positions to 165; and directs a 5% salary reduction.	346	379	LAW
342	Appropriations	331	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Appropriates \$7,270,600 to the Department of Insurance for fiscal year 2010; and limits the number of full-time equivalent positions to 75.	346	379	LAW
343	Appropriations	331	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates \$17,203,800 to the Industrial Commission for fiscal year 2010; and limits the number of full-time equivalent positions to 141.5.	347	379	LAW
344	Appropriations	331	APPROPRIATIONS - IDAHO STATE LOTTERY - Appropriates \$11,052,000 to the Idaho State Lottery; limits the number of full-time equivalent positions to 47; clarifies the scope of the appropriation; provides legislative intent for continuous appropriation; directs salary reductions; and provides an emergency clause for the implementation of the salary reduction.	347	385	LAW
345	Appropriations	331	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Appropriates \$12,515,900 to the Division of Building Safety; limits the number of full-time equivalent positions to 152; provides legislative intent on personnel costs; directs salary reductions; and provides for an emergency clause for the implementation of the salary reduction.	348	385	LAW
346	Appropriations	331	APPROPRIATIONS - HUMAN RESOURCES - Appropriates \$2,065,900 to the Division of Human Resources for fiscal year 2010; limits the number of full-time equivalent positions to 15; directs the transfer of certain moneys; directs the collection of certain fees for agencies not operating under a memorandum of understanding; directs the collection of certain fees for agencies operating under a memorandum of understanding; directs the payment for training; provides legislative intent on personnel costs; directs salary reductions; and directs adjustments to the pay schedule.	348	388	LAW

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347	Appropriations	331	APPROPRIATIONS - COMMISSION ON THE ARTS - Appropriates \$1,970,400 to the Office of the Governor for the Commission on the Arts for fiscal year 2010; and limits the number of full-time equivalent positions to 11.	348	379	LAW
348	Appropriations	331	APPROPRIATIONS - MILITARY DIVISION - Appropriates \$56,856,400 to the Military Division for fiscal year 2010; limits the number of full-time equivalent positions to 237.8; grants a continuing appropriation for the Bureau of Homeland Security's Miscellaneous Revenue Fund; provides legislative intent on personnel costs; and directs salary reductions.	349	379	LAW
349	Appropriations	332	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Appropriates \$30,270,700 to the Department of Commerce for fiscal year 2010; limits the number of full-time equivalent positions to 56; provides legislative intent on the Business and Jobs Development Fund; provides legislative intent on personnel costs; and directs salary reductions.	349	379	LAW
350	Appropriations	332	APPROPRIATIONS - SOIL CONSERVATION COMMISSION - Appropriates \$4,589,500 to the Soil Conservation Commission for fiscal year 2010; limits the number of full-time equivalent positions to 24; provides legislative intent on personnel costs; and directs salary reductions.	350	379	LAW
351	Appropriations	332	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Appropriates \$1,370,600 to the State Independent Living Council for fiscal year 2010; directs a transfer of funds to the State Independent Living Council Fund; provides legislative intent on personnel costs; and directs a salary reduction.	350	379	LAW
352	Appropriations	332	APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS - Appropriates \$303,900 to the Idaho Commission on Hispanic Affairs; limits the number of full-time equivalent positions to 3; provides legislative intent on personnel costs; and directs salary reductions.	351	379	LAW
353	Appropriations	332	APPROPRIATIONS - PUBLIC HEALTH TRUST FUND- Appropriates moneys and directs a transfer of \$9,305,100 to the Public Health Trust Fund for fiscal year 2010; provides legislative intent on personnel costs; and directs salary reductions.	351	379	LAW
354	Appropriations	333	BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND - Directs that references to the Idaho School for the Deaf and the Blind shall mean the Bureau of Educational Services for the Deaf and the Blind and locates the Bureau's budget within the Educational Support Program/Division of Children's Programs.	-	336	H Approp
355	Appropriations	334	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates \$4,667,100 to the Office of the Governor for the Commission for the Blind and Visually Impaired; limits the number of full-time equivalent positions to 42; provides legislative intent on personnel costs; directs salary reductions; and provides for an emergency clause for the implementation of the salary reduction.	355	355	S Fin

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356	Appropriations	334	APPROPRIATIONS - CAPITOL COMMISSION - Appropriates \$903,300 to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2010; limits the number of full-time equivalent positions to 2; provides for reappropriation of dedicated funds; provides legislative intent on personnel costs; directs salary reductions; and reauthorizes limited service positions.	355	355	S Fin
357	Appropriations	334	APPROPRIATIONS - HISTORICAL SOCIETY - Appropriates \$196,800 to the Idaho State Historical Society for fiscal year 2009; appropriates \$4,850,100 to the Idaho State Historical Society for fiscal year 2010; limits the number of full-time equivalent positions to 49.02; provides for reappropriation for certain funds; provides legislative intent on personnel costs; directs salary reductions; reauthorizes certain limited service positions; and provides for an emergency clause for the supplemental appropriation and implementation of the salary reduction.	355	355	S Fin
358	Appropriations	334	APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION - Appropriates \$27,386,700 to the Division of Vocational Rehabilitation; limits the number of full-time equivalent positions to 151; provides legislative intent on personnel costs; and directs salary reductions.	356	356	S Fin
359	Appropriations	334	APPROPRIATIONS - COMMISSION FOR LIBRARIES - Appropriates \$4,995,600 to the Idaho Commission for Libraries for fiscal year 2010; limits the number of full-time equivalent positions to 45.5; provides legislative intent on personnel costs; and directs salary reductions.	356	356	S Fin
360	Appropriations	334	APPROPRIATIONS - EDUCATIONAL PUBLIC BROADCASTING - Appropriates \$2,612,600 to the Idaho Educational Public Broadcasting System; limits the number of full-time equivalent positions to 33; provides legislative intent on personnel costs; and directs salary reductions.	357	357	S Fin
361	Appropriations	334	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates \$65,877,900 to the Idaho State Police for fiscal year 2010; limits the number of full-time equivalent positions to 549.07; provides legislative intent on personnel costs; and directs salary reductions.	357	357	S Fin
362	Appropriations	334	APPROPRIATIONS - AGRICULTURAL RESEARCH/COOPERATIVE EXTENSION SERVICE - Appropriates \$25,039,900 to the Board of Regents of the University of Idaho for the Agricultural Research and Cooperative Extension Service for fiscal year 2010; provides legislative intent on personnel costs; and directs salary reductions.	357	357	S Fin
363	Appropriations	334	APPROPRIATIONS - HUMAN RIGHTS COMMISSION - Appropriates \$880,000 to the Office of the Governor for the Human Rights Commission for fiscal year 2010; and limits the number of full-time equivalent positions to 11.	358	358	S Fin

<u>House Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
364	Appropriations	334	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Appropriates \$2,145,700 to the Office of State Appellate Public Defender for fiscal year 2010; limits authorized full-time equivalent positions to 21; provides legislative intent on personnel costs; and directs salary reductions.	358	358	S Fin
365	Appropriations	334	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Appropriates \$169,565,000 to the Department of Correction for fiscal year 2010; limits the number of authorized full-time equivalent positions to 1,626.8; provides legislative intent on personnel costs; and directs salary reductions.	359	359	S Fin
366	Appropriations	334	APPROPRIATIONS - SELF-GOVERNING AGENCIES - MEDICAL BOARDS, REGULATORY BOARDS - Appropriates \$10,523,600 to the Self-Governing Agencies for the Medical Boards and the Regulatory Boards; limits the number of full-time equivalent positions to 102.3; provides legislative intent on personnel costs; and directs salary reductions.	359	359	S Fin
367	Appropriations	335	APPROPRIATIONS - STATE LIQUOR DISPENSARY - Appropriates \$15,445,200 to the State Liquor Dispensary for fiscal year 2010; limits the number of full-time equivalent positions to 201; reappropriates certain fund balances; amends the Laws of 2006 to revise a certain date; provides legislative intent on personnel costs; and directs salary reductions.	360	360	S Fin
368	Appropriations	335	APPROPRIATIONS - DEPARTMENT OF PARKS & RECREATION AND DEPARTMENT OF AGRICULTURE - Appropriates an additional \$1,580,000 to the Department of Parks and Recreation for fiscal year 2009 and 2010 to be used for administrative costs and pass through funds, and appropriates an additional \$1,515,000 to the Department of Agriculture for implementation of the Invasive Species Fund.	360	360	S Fin
369	Appropriations	336	APPROPRIATIONS - PUBLIC SCHOOLS DIVISION OF OPERATIONS - Amends Section 6 of House Bill No. 325 relating to the textbook allowance.	351	351	S Fin
370	Appropriations	336	APPROPRIATIONS - PUBLIC SCHOOLS DIVISION OF TEACHERS - Appropriating additional funds from the Public Education Stabilization Fund to the Public Schools/Division of Teachers for fiscal year 2010.	-	354	H Approp
371	Appropriations	337	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Appropriating additional moneys to the Superintendent of Public Instruction for fiscal year 2010.	352	379	LAW

<u>House Bill No.</u>	<u>Introduced By:</u>	<u>Introduction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
372 AAS	Ways and Means	340	APPROPRIATIONS - SECRETARY OF STATE - ELECTIONS - Appropriates an additional \$1,500,000 to the Secretary of State for trustee and benefit payments; limits elections to two dates in each calendar year, except for school districts that are allowed two additional election dates; to specify those elections to be held in even-numbered years and those elections to be held in odd-numbered years; to transition certain terms of office from an odd number of years to four year or six year terms; to provide for all elections to be conducted by the appropriate county clerk, except for water districts, ground water recharge districts, ground water management districts and irrigation districts; to provide for an annual distribution from sales tax revenues to counties to fund the additional cost of conducting elections; and to provide a report. (Senate Amendments - See Senate Journal)	369	389	LAW
373	Ways and Means	345	EDUCATION - Amends, repeals and adds to existing law relating to education to revise provisions relating to certain severance payments, revising and repealing provisions relating to early retirement incentives and revising other provisions relating to education.	354	354	S Educ
374	Ways and Means	374	EDUCATION - Amends and repeals existing law relating to education.	375	389	LAW
375	Ways and Means	374	ROADS - Amends existing law to revise distributions of revenues from the gasoline tax and to revise distributions from the Highway Distribution Account.	-	376	H W/M
376	Ways and Means	376	ROADS - Amends existing law to revise distributions of revenues from the gasoline tax; to revise distributions from the Highway Distribution Account; and to revise provisions relating to the Idaho Law Enforcement Fund.	378	389	LAW
377	Appropriations	379	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Appropriates an additional \$27,713,300 to the Idaho Transportation Department for fiscal year 2010.	382	389	LAW
378	Appropriations	379	APPROPRIATIONS - PUBLIC SCHOOLS OPERATIONS DIVISION - Revising the appropriation made in House Bill 250 and House Bill 325.	382	389	LAW

House Concurrent Resolution No.	Introduced By:	Intro- duction Page	Bill Description	Final Vote Page	Final Action Page	Final Disposition
1	Moyle and Rusche	5	GOVERNOR - STATE OF STATE ADDRESS - Provides for a joint session of the House of Representatives and the Senate to hear the Governor's State of the State Address.	6	20	ADOPTED
2	Judiciary, Rules and Administration	13	PRINTING CONTRACT - SESSION LAWS - Approves the contract for the printing of the Session Laws.	32	67	ADOPTED
3	Judiciary, Rules and Administration	14	PRINTING CONTRACT - PERMANENT JOURNALS - Approves the contract for the printing of the legislative permanent journals.	32	67	ADOPTED
4	Judiciary, Rules and Administration	15	PRINTING CONTRACT - BILLS - Approves the contract for the printing of legislative bills and resolutions.	33	67	ADOPTED
5	Judiciary, Rules and Administration	15	PRINTING CONTRACT - DAILY JOURNALS - Approves the contract for the printing of the legislative daily journals.	33	67	ADOPTED
6	State Affairs	24	LEGISLATIVE COMPENSATION - Stating findings of the Legislature and rejecting the rates of compensation and expenses that were fixed by the Citizens' Committee on Legislative Compensation on June 20, 2008, and that the rates in effect for the Fifty-ninth Idaho Legislature shall remain in effect.	26	62	ADOPTED
7	Education	43	PUBLIC EDUCATION - Stating findings of the Legislature and encouraging support for existing and new innovative practices and approaches to public education in a time of economic uncertainty.	-	111	H Educ
8	Education	44	STUDY - U.S. DEPARTMENT OF EDUCATION GROWTH MODEL PILOT PROGRAM - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to develop and submit on behalf of the State Board of Education and the Idaho Department of Education an application to the United States Department of Education for admittance into the United States Department of Education's Growth Model Pilot Program.	-	47	H Educ
9	Education	49	DIVISION OF VOCATIONAL REHABILITATION - RULES - Stating findings of the Legislature and rejecting certain rules of the Division of Vocational Rehabilitation.	65	113	ADOPTED
10	State Affairs	52	LOTTERY COMMISSION - RULES - Stating findings of the Legislature and rejecting rules of the Lottery Commission relating to rules governing charitable gaming.	69	120	ADOPTED
11	State Affairs	53	FAITH-BASED AND COMMUNITY ORGANIZATIONS - PARTNERSHIP - Stating findings of the Legislature and encouraging the State of Idaho and its agencies to identify barriers to partnership with faith-based and community organizations.	110	110	S St Aff

House Concurrent Resolution No.	Introduced By:	Intro- duction Page	Bill Description	Final Vote Page	Final Action Page	Final Disposition
12	State Affairs	62	MOSCOW COMMUNITY WALK - Stating findings of the Legislature and supporting the people of Latah County and the City of Moscow in bringing the community together through the Moscow CommUNITY Walk; endorsing the annual celebration of the Walk; and encouraging sponsorship of similar events in other communities of our Great State of Idaho.	171	257	ADOPTED
13	Resources and Conservation	63	NATURAL RESOURCE ISSUES - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of natural resource issues.	95	161	ADOPTED
14	Judiciary, Rules, and Administration	67	JOINT RULE - Stating findings of the Legislature and amending Joint Rule 2 of the Joint Rules of the Senate and the House of Representatives providing the definition for proclamation.	132	132	S Jud
15	Business	68	SMALL BUSINESS HEALTH INSURANCE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the feasibility and expense of providing small businesses better access to affordable health insurance.	-	72	H Bus
16	Environment, Energy, and Technology	72	ENERGY, ENVIRONMENT AND TECHNOLOGY ISSUES - STUDY - Stating findings of the Legislature and authorizing an interim legislative study committee on energy, environment and technology issues.	115	161	ADOPTED
17	Transportation and Defense	73	TRANSPORTATION DEPARTMENT - RULE - Stating findings of the Legislature rejecting a certain rulemaking docket of the Transportation Department relating to rules governing registration and permit fee administration.	95	131	ADOPTED
18	Resources and Conservation	75	NATURAL RESOURCES INTERIM COMMITTEE - Stating findings of the Legislature requesting the Natural Resources Interim Committee appointed by the Legislative Council to gather information and to present findings and recommendations to the Legislature and requesting the Departments of Agriculture, Fish and Game, Lands and the Office of Species Conservation to provide information and recommendations to the interim committee.	135	182	ADOPTED
19	Health and Welfare	91	BOARD OF PHARMACY - RULES - Stating findings of the Legislature and rejecting a certain rule docket of the Board of Pharmacy relating to rules of the Idaho Board of Pharmacy.	-	103	H Health/Wel
20	Health and Welfare	91	DEPARTMENT OF HEALTH AND WELFARE - RULES - Stating findings of the Legislature and rejecting a certain rule docket of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits.	110	110	S Health/Wel
21	Environment, Energy, and Technology	91	FIBER OPTICS - Stating findings of the Legislature and supporting the planning and construction of new fiber communications facilities between the cities of Riggins and Grangeville, Idaho.	133	192	ADOPTED

House Concurrent Resolution No.	Introduced By:	Intro- duction Page	Bill Description	Final Vote Page	Final Action Page	Final Disposition
22	State Affairs	91	IDENTITY THEFT - Stating findings of the Legislature urging the directors of state agencies to use all care and vigilance to protect the personal data and private information of their employees and all citizens of the state for the purpose of protecting against identity theft.....	171	257	ADOPTED
23	Commerce and Human Resources	96	EQUAL PAY DAY - Stating findings of the Legislature and recognizing the importance of women's pay equity and recognizing equal pay day.....	203	285	ADOPTED
24	State Affairs	113	BOARD OF PHARMACY - RULES - Stating findings of the Legislature and rejecting a certain rule docket of the Board of Pharmacy relating to rules of the Idaho Board of Pharmacy.....	133	133	S Health/Wel
25	State Affairs	138	LAWS GOVERNING THE SOIL CONSERVATION COMMISSION - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of statutory provisions of the Idaho Code and any applicable rules relating to the Soil Conservation Commission and Soil Conservation Districts.	181	308	ADOPTED
26	State Affairs	139	HISTORIC AGRICULTURAL BUILDINGS - Stating findings of the Legislature authorizing and encouraging the Idaho State Historical Society to conduct a study of Idaho's historic agricultural buildings; and encouraging the Idaho State Historical Society to report its findings and recommendations to the Governor and to the Legislature.	203	203	H FAILED
27	Education	139	PUBLIC EDUCATION - Stating findings of the Legislature and encouraging support for existing and new innovative practices and approaches to public education in a time of economic uncertainty.....	181	181	S Educ
28	State Affairs	143	FIBER OPTICS - Stating findings of the Legislature and supporting the planning and construction of new fiber or wireless communications facilities throughout the state.....	181	273	ADOPTED
29	State Affairs	147	INDUSTRIAL COMMISSION - Stating findings of the Legislature rejecting a certain rule docket of the Industrial Commission relating to Miscellaneous Provisions.....	203	257	ADOPTED
30	Ways and Means	248	NORTH IDAHO COLLEGE - Stating findings of the Legislature commending and honoring North Idaho College for its past seventy-five years of service and its continuing contributions to not only the people of Northern Idaho, but to the entire state and the region.....	267	319	ADOPTED
31	Ways and Means	340	INTERIM COMMITTEE - TRANSPORTATION SYSTEM - Stating findings of the Legislature and authorizing the Legislative Council to appoint an interim committee to study Idaho's transportation system and make recommendations.....	353	353	S St Aff
32	Ways and Means	373	TASK FORCE - Stating findings of the Legislature and authorizing the establishment of a task force to undertake and complete a study to identify alternative dedicated funding sources for the Idaho State Police and for the Idaho Department of Parks and Recreation on an ongoing basis.	375	388	ADOPTED

House Concurrent Resolution <u>No.</u>	Introduced <u>By:</u>	Intro- duction <u>Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
33	Ways and Means	374	GUBERNATORIAL TASK FORCE - Stating the findings of the Legislature and support for a gubernatorial task force to consider both traditional and nontraditional sources of revenue for the maintenance and preservation of highways and bridges.	-	376	H W/M
34	Ways and Means	378	TRANSPORTATION SYSTEM - GUBERNATORIAL TASK FORCE - Stating findings of the Legislature and support for a gubernatorial task force to to consider both traditional and nontraditional sources of revenue for the maintenance and preservation of highways and bridges including, but not limited to, possible revisions to the rates, methods and manner of calculating any and all taxes, fees and registrations relating to fuels and motor vehicles and motor carriers.....	381	388	ADOPTED

House Joint Memorial No.	Introduced By:	Intro- duction Page	Bill Description	Final Vote Page	Final Action Page	Final Disposition
1	Resources and Conservation	76	WOLF DELISTING - Stating findings of the Legislature urging the United States to honor the commitment made to Idaho to delist wolves upon fulfillment of recovery standards; expressing its support for the draft final rule submitted by the U.S. Fish and Wildlife Service in January, 2009, for the purpose of delisting gray wolves in Idaho; urging that the Administration's directive to suspend publication of the rule be withdrawn; and requesting that the Idaho Department of Fish and Game take all lawful action to control wolf-caused depredation and, pending delisting, to make annual reports to the Legislature relating to the economic impacts of wolf predation.	135	182	ADOPTED
2	State Affairs	81	IDAHO NATIONAL LABORATORY - Stating findings of the Legislature respectfully requesting that the President of the United States, the Secretary of Energy of the United States, the leadership of the Senate and House of Representatives of the United States and Idaho's Congressional Delegation join the Legislature in congratulating the Idaho National Laboratory on the occasion of its 60th anniversary.	91	128	ADOPTED
3	State Affairs	102	RIGHT TO KEEP AND BEAR ARMS - Stating findings of the Legislature urging that the Senate and House of Representatives of the United State in Congress and to the Idaho congressional delegation to cease and desist attempting to enact federal legislation impinging on the individual right to keep and bear arms.	156	247	ADOPTED
4	State Affairs	143	STATE AND FEDERAL CONSTITUTIONS - SOVEREIGNTY - Stating findings of the Legislature claiming sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution.	204	285	ADOPTED
5	State Affairs	162	HORSES - Stating findings of the Legislature urging Congress to oppose federal legislation that interferes with a state's ability to direct the transport or processing of horses.	204	204	S Agric Aff
6	State Affairs	174	CLEAN WATER RESTORATION ACT OF 2007 - OPPOSITION TO - Stating the findings of the Legislature and opposing any proposed federal legislation similar to the Clean Water Restoration Act of 2007 and urging Congress not to enact any similar legislation.	204	273	ADOPTED
7	Education	186	DOCTOR OF MEDICINE DEGREE IN IDAHO - Stating findings of the Legislature and resolving that federal funding be identified and made available for the Doctor of Medicine degree in Idaho.	212	273	ADOPTED
8	State Affairs	196	EMPLOYEE FREE CHOICE ACT - Stating findings of the Legislature and urging the Congress and the Idaho delegation to vote "no" on cloture and final passage of the Employee Free Choice Act and any of its components in this and in future years.	-	201	H St Aff

<u>House Joint Resolution No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1	Ways and Means	239	MUNICIPAL INDEBTEDNESS - Proposing an amendment to the Constitution of the State of Idaho relating to limitations on county and municipal indebtedness to revise language on what constitutes an ordinary and necessary expense.	-	245	H Rev/Tax

<u>House Resolution No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1	Moyle and Rusche	5	HOUSE ATTACHES - COMPENSATION - Provides for compensation for attaches of the House of Representatives.....	19	19	ADOPTED
2	Judiciary, Rules, and Administration	67	HOUSE RULE - Stating findings of the House of Representatives and adding House Rule 78 to revise the definition of proclamation.....	-	132	H Jud

<u>House Proclamation No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1	State Affairs	30	JAMES WILLIAMS - Stating findings of the Legislature commending James Williams for his accomplishment at the American Farm Bureau Federation's Young Farmer and Rancher Discussion Meet competition.	34	43	ADOPTED
2	State Affairs	232	ARCO - Stating findings of the Legislature and commending Arco, Idaho in its centennial year.	260	260	ADOPTED

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1002	Schroeder	79	WATER - Amends existing law relating to appropriation of water to revise the definition of "service area" for a municipality and to revise criteria for domestic water systems.	-	79	H Res/Con
1003	Judiciary and Rules	61	PRISONERS - SEXUAL CONTACT - Amends existing law relating to sexual contact with a prisoner to provide correct terminology.	223	238	LAW
1004 AAH	Judiciary and Rules	61	VEHICULAR MANSLAUGHTER - Amends existing law relating to punishment for manslaughter to revise a provision relating to the amount of support paid when vehicular manslaughter resulted in the death of the parent or parents of a child. (House Amendments - p. 167)	227	264	LAW
1005 AA	Judiciary and Rules	110	SEXUAL ABUSE - Amends existing law relating to vulnerable adults to revise a definition. (Senate Amendments - See Senate Journal)	218	231	LAW
1006 AA	Judiciary and Rules	110	CRIME VICTIM COMPENSATION - Amends existing law relating to compensation of victims of crimes to provide a method by which certain fines may be collected. (Senate Amendments - See Senate Journal)	218	231	LAW
1007	Judiciary and Rules	61	CRIME VICTIMS - COMPENSATION - Amends existing law relating to compensation of victims of crimes to further define a term; and to revise a provision relating to the collection of restitution.	218	231	LAW
1008	Resources and Environment	79	FISH AND GAME - Amends existing law relating to fish and game to provide that specified military veterans shall not be required to procure certain licenses; and to provide for the issuance of free permits and tags to specified military veterans.	223	238	LAW
1009	Education	51	VETERANS SERVICES - ADMINISTRATOR - POWERS - DUTIES - Amends existing law relating to Veterans Services to provide the Administrator of Veterans Services additional power and authority.	94	105	LAW
1011	Education	51	HISTORICAL SOCIETY - Amends and adds to existing law relating to the State Historical Society to provide that the Idaho State Historical Society is within the Department of Self-Governing Agencies; to revise a provision relating to the Idaho Archaeological Survey; to revise a provision relating to certain reporting procedures; to provide a declaration of policy; to revise a provision relating to the State Historical Society and its board of trustees; and to revise provisions relating to the appointment and terms of members.	241	256	LAW

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1012	Education	58	BOARD OF EDUCATION - POSTSECONDARY AND PROPRIETARY SCHOOLS - Amends and repeals existing law relating to the State Board of Education and proprietary schools to revise provisions relating to annual registration fees, to revise provisions relating to exemptions and annual registration fees; to revise provisions relating to issuance and reissuance of certain certificates and to provide for information on certificates of identification; to provide for criminal history checks; to revise provisions relating to validity of certificates of identification; to provide that agents carry certificates for identification purposes in certain circumstances; to provide that proprietary schools maintain certain records and to provide that proprietary schools provide criminal history check information as part of the annual registration process; to revise terms of a purchase statement; to provide that proprietary schools obtain a surety bond; to revise provisions relating to the indemnification of certain students and to revise terms of such bond.	111	120	LAW
1013	Education	51	BOARD OF LIBRARY COMMISSIONERS - Amends existing law relating to the commission for libraries; to provide that the board of library commissioners is within the department of self-governing agencies; and to revise provisions relating to the appointment, removal and terms of the Board of Library Commissioners.	261	278	LAW
1014	Broadsword	48	NATUROPATHIC PHYSICIANS LICENSING ACT - Repeals existing law relating to the Naturopathic Physicians Licensing Act.	-	48	H Health/Wel
1015	Schroeder	61	FISH AND GAME - Adds to existing law relating to fish and game to require the Department of Fish and Game to make contact with certain agencies of other states for the purpose of soliciting the transfer of wolves; and to provide for associated costs.	261	278	LAW
1016	Finance	42	APPROPRIATIONS - Providing an appropriation for the transfer of \$511,400 to the Pest Control Deficiency Fund; and providing for the transfer of \$58,300 to the Hazardous Substance Emergency Response Fund.	48	60	LAW
1017 AA,AA	Education	144	SCHOOL ATTENDANCE - Amends existing law relating to attendance at schools to further define a term; to revise a provision relating to school attendance requirements; and to revise a provision relating to proceedings against parents or guardians. (Senate Amendments - See Senate Journal)	218	231	LAW
1018	Education	61	PRISONER EDUCATION - Amends existing law relating to education to provide that the State Board for Professional-Technical Education shall prepare certain courses for prisoners held under the jurisdiction of the Department of Correction.	115	128	LAW

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1019	Education	61	IDAHO EDUCATIONAL TECHNOLOGY INITIATIVE - Amends and repeals existing law relating to the Idaho Educational Technology Initiative and the State Council for Technology providing that the Public School Technology Grant Program shall be implemented by the State Department of Education; and to provide for a report from the State Department of Education to the Legislature and the Governor.	111	120	LAW
1020 AA	Schroeder	193	FISH AND GAME - Amends existing law relating to fish and game to prohibit certain persons from purchasing unlawfully taken wildlife or any portion thereof subject to sale by the Director of the Department of Fish and Game..... (Senate Amendments - See Senate Journal)	262	278	LAW
1022	Schroeder	144	FISH AND GAME - FEES - Amends existing law relating to fish and game to revise processing fee provisions relating to certain fish and game violators.	262	278	LAW
1041	State Affairs	58	SALARY - ACTING GOVERNOR AND LIEUTENANT GOVERNOR - Amends existing law to provide the salary when the President Pro Tempore of the Senate and the Speaker of the House of Representatives act as Governor; and to provide a salary when the President Pro Tempore of the Senate acts as Lieutenant Governor.	116	128	LAW
1042	State Affairs	79	PRISONERS - Amends existing law relating to prisoners to revise requirements relating to statements regarding costs of certain prosecutions and to revise procedures for the submission and payment of claims.	216	231	LAW
1043	State Affairs	74	LEGISLATIVE COUNCIL - Amends, repeals and adds to existing law to recodify statutes dealing with the Legislature and Legislative Council to update and modernize the statutes.	171	182	LAW
1044	State Affairs	58	CODIFIER CORRECTIONS - Amends existing law to clean up various code sections and subsections by renumbering those code sections or subsections that were redesignated by the compiler of the Idaho Code as a result of multiple amendments to code sections prior to the 2009 legislative session; and to correct typographical errors.	100	109	LAW
1046	Judiciary and Rules	89	CRIME VICTIMS COMPENSATION - Amends existing law relating to crime victims compensation to increase the fine or reimbursement imposed for each felony count, misdemeanor count and for any sex offense.	229	245	LAW
1047	Judiciary and Rules	74	DEVELOPMENTALLY DISABLED - Adds to existing law relating to the treatment and care of the developmentally disabled to provide for temporary guardians and temporary conservators of developmentally disabled persons; and to provide the duties, rights and powers of a guardian ad litem.	-	74	H Jud

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1048	Judiciary and Rules	74	DISABLED PERSONS - Amends existing law relating to the protection of persons with disabilities to prohibit certain persons from being appointed as a guardian of a minor with an exception; to provide for petition contents; to require the guardian to take certain reasonable measures; to provide for additional petition contents; to provide for closed hearings; and to provide court discretion regarding the compromise of a disputed claim for money against a third person.	-	74	H Jud
1050	Judiciary and Rules	89	MEDICAL SAVINGS ACCOUNTS - Amends existing law to provide that Medical Savings Accounts are exempt from attachment.	229	245	LAW
1051 AA	Judiciary and Rules	144	TELEPHONE COMMUNICATIONS - CRIMES - Adds to and amends existing law to create the crime of anti-caller id spoofing, to provide penalties and to provide that a violation is a violation of the Consumer Protection Act. (Senate Amendments - See Senate Journal)	-	144	H St Aff
1052	Agricultural Affairs	110	FARM PRODUCE - Repeals existing law relating to dealers in farm produce.	144	154	LAW
1053 AA	Transportation	144	MOTOR VEHICLES - Amends existing law relating to motor vehicles to revise provisions relating to applications for motor vehicle registrations; and to revise provisions relating to applications for motor vehicle certificates of title. (Senate Amendments - See Senate Journal)	241	256	LAW
1054	Transportation	110	RURAL ECONOMIC DEVELOPMENT AND INTEGRATED FREIGHT TRANSPORTION PROGRAM - Amends existing law relating to the Rural Economic Development and Integrated Freight Transportation Program to provide for annual funding for the administration of the program.	283	291	LAW
1056 AA	Judiciary and Rules	132	BOARD OF CORRECTION - Adds to existing law relating to the State Board of Correction to define terms, to provide the Director of Correction with certain authority and to provide procedures. (Senate Amendments - See Senate Journal)	172	182	LAW
1059 AA	State Affairs	132	IDAHO STATE LOTTERY - Amends existing law relating to the Idaho State Lottery to increase a certain incentive bonus paid to lottery game retailers. (Senate Amendments - See Senate Journal)	-	132	H St Aff
1060 AA	Education	132	LIBRARY DISTRICTS - Adds to and repeals existing law relating to Public Library Districts to provide for the dissolution of Library Districts; to provide for a petition and related provisions to initiate certain proceedings and to provide for an election. (Senate Amendments - See Senate Journal)	-	237	H Rev/Tax
1061	Transportation	108	SNOWMOBILES - Amends existing law relating to snowmobiles to provide that certain vehicles shall not be allowed to operate on groomed snowmobile trails, to provide an exception and to provide a penalty.....	228	245	LAW

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1062	Judiciary and Rules	114	DISPOSITION OF HUMAN REMAINS - Amends existing law relating to disposition of human remains to apply cited Idaho code provisions in the absence of provisions regarding disposition of remains in a prearranged funeral plan; to provide for alternate arrangements that do not conflict with the deceased's instructions; and to provide for disposition of a person's remains that is not clearly covered in a prearranged funeral plan.....	172	182	LAW
1065	Health and Welfare	89	MENTAL HEALTH BOARDS - Amends existing law relating to Regional Mental Health Boards to revise the membership of the boards, to provide for parent member selection process, and to revise the powers and duties of the boards.	228	245	LAW
1066	Health and Welfare	94	WHOLESALE DRUG DISTRIBUTION ACT - Amends existing law relating to the Idaho Wholesale Drug Distribution Act to revise a definition; and to revise the contents of a pedigree.	217	231	LAW
1067	Finance	89	APPROPRIATIONS - BOARD OF NURSING - Appropriates an additional \$28,000 to the Board of Nursing for fiscal year 2009.	103	113	LAW
1068	Finance	89	APPROPRIATIONS - OUTFITTERS AND GUIDES LICENSING BOARD - Appropriates an additional \$30,000 to the Outfitters and Guides Licensing Board for fiscal year 2009.	103	113	LAW
1069	Finance	89	APPROPRIATIONS - DEPARTMENT OF LABOR - Appropriates an additional \$151,100 to the Department of Labor for fiscal year 2009.	103	113	LAW
1070	Agricultural Affairs	110	DEPARTMENT OF AGRICULTURE - BEEF CATTLE - Adds to existing law relating to beef cattle animal feeding operations to provide for the effect of the Federal Environmental Protection Agency enforcement actions on administrative or civil enforcement actions initiated by the Director of the Department of Agriculture and on certain orders issued by the Director.	171	182	LAW
1071 AA	Agricultural Affairs	151	DEPARTMENT OF AGRICULTURE - Amends existing law relating to duties of the Director of the Department of Agriculture to provide that the Director shall administer a range program and to provide for the purpose of the program. (Senate Amendments - See Senate Journal)	227	245	LAW
1073	Health and Welfare	99	COSMETICIANS - Amends existing law relating to cosmeticians to revise a provision relating to a permit to practice, demonstrate or teach cosmetology.	171	182	LAW
1074 AA,AA	Education	193	EDUCATION SERVICES - DEAF AND BLIND - Repeals and adds to existing law relating to educational services for the deaf and the blind; and to establish the Idaho Bureau of Education Services for the Deaf and the Blind. (Senate Amendments - See Senate Journal)	242	256	LAW

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1075	Commerce and Human Resources	110	INDUSTRIAL COMMISSION - Amends existing law relating to the Industrial Commission to revise the commission's authority to enter into certain cooperative agreements with other agencies and to limit the information provided to other agencies.	171	182	LAW
1076	Health and Welfare	114	DEPARTMENT OF HEALTH AND WELFARE - WAIVER PROGRAMS - Amends and adds to existing law relating to the Idaho Conrad J-1 Visa Waiver Program and the National Interest Waiver Program.	217	231	LAW
1078	Education	144	STATE BOARD OF EDUCATION - Amends existing law relating to the State Board of Education to revise provisions relating to the correction or alteration of school district boundaries; to revise provisions relating to school districts and the excision and annexation of territory; to revise consolidation provisions; to revise provisions relating to division of school districts; and to revise provisions relating to certain school elections and the revision of school district boundaries.	217	231	LAW
1079	Education	110	MOTORCYCLE TRAINING PROGRAM - Amends existing law relating to the Motorcycle Training Program to replace the Department of Education with the Division of Professional-Technical Education; and to replace the Superintendent of Public Instruction with the Administrator of the Division of Professional-Technical Education.	134	146	LAW
1080	Commerce and Human Resources	140	REAL ESTATE - INVESTMENTS - Amends existing law relating to real estate investments to delete provisions that specify the maximum aggregate amount of real estate which may be invested by certain insurers.	172	182	LAW
1082	Health and Welfare	178	PUBLIC ASSISTANCE AND WELFARE - Repeals existing law relating to services to victims of Cystic Fibrosis.	-	178	H Health/Wel
1084 AA	Education	148	LOTTERY - Amends existing law to revise distribution of lottery dividends to school districts for a three year period and to delete obsolete language. (Senate Amendments - See Senate Journal)	-	148	H St Aff
1086 AAH	Transportation	187	LICENSE PLATES - Adds to existing law to provide for an Idaho Freemason license plate. (House Amendments - p. 236)	262	291	LAW
1088 AAH	Transportation	144	LICENSE PLATES - SPECIAL - Amends and adds to existing law relating to special motor vehicle license plates to establish the Earth Sciences and Lapidary Special License Plate Program. (House Amendments - p. 236)	263	291	LAW
1089	Transportation	183	MOTOR VEHICLES - PASSENGER SAFETY FOR CHILDREN - Amends existing law relating to motor vehicles and passenger safety for children to delete exemptions.	-	183	H Transp
1091	Local Government and Taxation	110	URBAN RENEWAL DISTRICTS - SCHOOL LEVIES - Amends existing law relating to Urban Renewal Districts to revise application for school levies for supplemental maintenance and operation for calculating the tax rate.	171	182	LAW

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1096	Commerce and Human Resources	140	PROCUREMENT - Amends existing law relating to procurement requirements to provide an exception to certain procurement requirements for the procurement of used personal property by irrigation districts and their boards of control.....	267	282	LAW
1097	Transportation	110	PUBLIC HIGHWAYS - UTILITIES - Adds to existing law relating to public highways and utilities to provide that certain public highway agencies or any private party working with such agency on a project which may require relocation of utility facilities shall permit the affected utility to participate in project development meetings, to provide for a meeting, to provide that certain public highway agencies and affected utilities shall use best efforts to eliminate or minimize certain costs, to provide that failure by the affected utility to respond to written notice shall not affect the public highway agency's ability to proceed with the project and to provide limits to application.	242	256	LAW
1098 AA	Transportation	151	OFF-HIGHWAY VEHICLES - Amends existing law to revise procedures relating to off-highway vehicles..... (Senate Amendments - See Senate Journal)	228	245	LAW
1100	State Affairs	130	VIDEO SERVICES - Adds to existing law to provide for use of public right-of-way to provide video service.....	-	130	H St Aff
1104	Judiciary and Rules	170	MOTOR VEHICLE REGISTRATION FEES - EMERGENCY MEDICAL SERVICES FEES - Amends existing law relating to motor vehicle registration fees and emergency medical services fees to revise certain fees and to provide for moneys dedicated to the operation of the trauma registry.	-	170	H Transp
1106	Judiciary and Rules	130	CRIMES AND PUNISHMENTS - Amends existing law relating to crimes and punishments to provide that a court may order restitution in certain circumstances; to provide that upon conviction for certain offenses a court may order restitution for certain costs, to provide for the distribution of the restitution; and to expand the Drug Enforcement Donation Fund to include driving while under the influence.	218	231	LAW
1108 AA	Health and Welfare	193	EMERGENCY MEDICAL SERVICES - Amends and adds to existing law relating to emergency medical services to define new terms; to provide correct references to the Board of Health and Welfare; to provide for continuous appropriation of initial application fee; to revise duties; to provide standards for air medical service; to revise agency minimum standards; to provide for nontransport service minimum standards waiver; to require that certain applicants demonstrate that licensure change requested meet certain objective criteria; to provide penalties for personnel license violations; to provide penalties for agency license violations; to provide for personnel and agency licensure action; to provide grounds and to provide procedure; to revise board rulemaking authority; and to revise EMS bureau guideline responsibility..... (Senate Amendments - See Senate Journal)	260	278	LAW

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1109 AA	Health and Welfare	175	PHARMACISTS - Adds to and amends existing law relating to pharmacists to provide for the Idaho Legend Drug Donation Act; to provide for the board's duties and powers; to provide immunity from liability; and to provide for an exemption from the Idaho Wholesale Drug Distribution Act. (Senate Amendments - See Senate Journal)	228	245	LAW
1110 AAH	Health and Welfare	144	PUBLIC BENEFITS - Amends existing law relating to restrictions on public benefits to revise the documentation that may be used to verify lawful presence in the United States. (House Amendments - p. 237)	263	291	LAW
1111	Health and Welfare	130	INSURANCE AND PUBLIC SAFETY OFFICERS - Adds to existing law relating to insurance and public safety officers to provide for a public safety officer permanent disability benefit, to provide requirements relating to the public officer permanent disability benefit and to provide legislative intent.	227	245	LAW
1112 AA,AAH	Health and Welfare	175	BASIC DAYCARE LICENSE - Amends and adds to existing law relating to basic daycare licenses to revise code chapter on basic daycare licenses. (Senate Amendments - See Senate Journal) (House Amendments - p. 327)	360	362	LAW
1113	Health and Welfare	132	REAL PROPERTY - TRANSFER - ENCUMBRANCE - Adds to existing law relating to notice of transfer or encumbrance of real property; to provide duties resulting from notice of transfer or encumbrance and for an exception; and to provide for a notice of transfer or encumbrance, rulemaking and the effect of notice.	-	132	H Health/Wel
1114	Health and Welfare	144	HEALTH CARE - TREATMENT AND CONSENT - Amends and adds to existing law relating to health care treatment and consent to revise treatment and consent provisions of the Medical Consent and Natural Death Act; and to revise the Treatment and the Care of the Developmentally Disabled Act.	-	144	H Health/Wel
1115	Health and Welfare	144	OPTOMETRISTS - Amends, adds to and repeals existing law relating to optometrists to define terms; to provide for penalties; to provide that an optician lawfully practicing opticianry within the state is not in violation of the chapter; to provide penalties and remedies regarding nonlicensed persons; to remove outdated language; to provide qualifications for members of the State Board of Optometry; repealing code provisions regarding qualifications for members of the State Board of Optometry; to revise the powers and duties of the board; to remove a power and duty of the board; to revise a ground for license discipline; to remove certain printing and distribution requirements; and to provide for an availability requirement.	227	245	LAW
1117	Health and Welfare	130	BOARD OF HEALTH AND WELFARE - Amends existing law relating to the Board of Health and Welfare to revise the frequency of board meetings.	217	231	LAW

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1121 AAH	Judiciary and Rules	144	PUBLIC CHARTER SCHOOLS - Amends existing law relating to public charter schools to provide for notice of a public hearing and to provide for comments..... (House Amendments - p. 233)	262	291	LAW
1122	Judiciary and Rules	163	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law relating to the Public Employee Retirement System to revise provisions relating to optional retirement allowances; and to clarify a requirement of eligibility for disability retirement.....	241	256	LAW
1123	State Affairs	163	PUBLIC UTILITY RATES - Adds to existing law to provide that public utility commission binding ratemaking treatments are applicable when costs of a new electric generation facility are included in rates, to provide procedures and to provide for rules.	241	256	LAW
1126	State Affairs	170	UNFAIR SALES ACT - Repeals existing law relating to the Unfair Sales Act relating to the limitation of quantity of items offered for sale at retail prohibited.	241	256	LAW
1127	Judiciary and Rules	170	IDAHO RURAL HEALTH CARE ACCESS PROGRAM - Amends existing law relating to the Idaho Rural Health Care Access Program to revise a definition; to revise an unused grant fund return date; and to revise the grant process schedule.	228	245	LAW
1128	Judiciary and Rules	163	TAX COMMISSION - TAX LIABILITY - Amends existing law to provide provisions for settlement agreements before the State Tax Commission; and to provide procedures when the tax liability of a taxpayer is equal to or exceeds \$50,000 and a settlement agreement or closing agreement occurs.	227	245	LAW
1129	Judiciary and Rules	177	REVISED UNIFORM ANATOMICAL GIFT ACT - Amends existing law relating to the Revised Uniform Anatomical Gift Act to revise definitions, to remove a provision regarding the withholding or withdrawing measures necessary to ensure medical suitability of an organ and to provide for the resolution of conflict between the terms of a declaration or directive and the express or implied terms of a potential anatomical gift.....	267	282	LAW
1130	State Affairs	183	MOTOR VEHICLE REGISTRATION - Amends existing law relating to motor vehicle registration to provide for limits on certain permits and to provide exceptions.	377	384	LAW
1131	State Affairs	170	MOTOR VEHICLE FINANCIAL RESPONSIBILITY - Amends existing law relating to motor vehicle financial responsibility to provide certain exceptions to the application of certain chapter sections.....	229	245	LAW
1132	State Affairs	177	EDUCATION - SCHOOL BUILDINGS - Adds to and amends existing law relating to public school buildings and school districts to provide for school building design and energy efficiency.....	242	256	LAW
1133	State Affairs	170	DRIVING BUSINESSES LICENSURE BOARD - Repeals, adds to and amends existing law to create the Idaho Driving Businesses Licensure Board in the Department of Self-Governing Agencies.....	317	322	LAW

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1134	Judiciary and Rules	183	MOTOR VEHICLES - FINANCIAL RESPONSIBILITY - Amends existing law relating to motor vehicle financial responsibility to revise a sunset provision and to provide for an annual report.....	242	256	LAW
1137	Judiciary and Rules	187	SAFE BOATING ACT - Amends existing law relating to the Safe Boating Act to provide that it shall not be a violation to operate a motorboat equipped with devices provided by the manufacturer as stock equipment that are not used to exceed certain noise levels.....	-	383	H Gen Ord
1138	Judiciary and Rules	183	SECTION 42 LOW INCOME PROPERTIES - Adds to existing law to provide for market value for assessment purposes of Section 42 Low Income Properties and to provide procedures.....	223	238	LAW
1140 AA	Judiciary and Rules	278	EXEMPTIONS FROM ATTACHMENT - Amends existing law to provide additional exemptions and value of certain personal property from attachment..... (Senate Amendments - See Senate Journal)	-	278	H Rev/Tax
1141 AA,AA	State Affairs	245	FISH AND GAME - FEES - Amends and repeals existing law relating to fish and game to revise license fees; and to provide for otter tags and fees..... (Senate Amendments - See Senate Journal)	279	291	LAW
1142	State Affairs	198	OPEN PUBLIC MEETINGS - Amends existing law relating to open public meetings to amend provisions relating to notice requirements for meetings and agendas; to revise provisions relating to the written minutes of meetings; to revise provisions relating to executive sessions; and to revise provisions relating to violations.....	242	256	LAW
1144	Judiciary and Rules	233	FIRE PROTECTION BOARD - Amends existing law relating to the Fire Protection Board to delete certain residence requirements relating to Fire Protection District Commissioners and to revise provisions relating to when the oath of office of Fire Protection Commissioners shall be taken.....	-	233	H St Aff
1145	Judiciary and Rules	233	FIREARMS - EXPLOSIVES - DEADLY WEAPONS - Amends existing law relating to firearms, explosives and other deadly weapons to provide that certain information and records are confidential and exempt from disclosure.....	279	291	LAW
1146	Judiciary and Rules	202	FOOD ESTABLISHMENTS - Amends existing law relating to food establishments to define additional terms; to permit the Department of Health and Welfare's designated regulatory authority to charge food establishments a licensing fee; to revise license fees for specified food establishments; to provide terms and conditions on certain licenses; and to remove reference to the Food Safety Fund.....	261	278	LAW
1147 AA,AA	State Affairs	387	DESIGN-BUILD HIGHWAY PROJECTS - CONTRACTS - Amends and adds to existing law to define terms and to provide procedures for awarding design-build contracts for highway transportation projects..... (Senate Amendments - See Senate Journal)	-	387	H 2nd Rdg

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1148	State Affairs	221	ALCOHOL - RETAIL SALE OF LIQUOR BY THE DRINK - Amends, repeals and adds to existing law relating to alcohol to revise provisions relating to the retail sale of liquor by the drink; to revise provisions governing the sale of beer; to revise provisions governing the County Option Kitchen and Table Wine Act; to provide for clerk and server training; and to provide for the Idaho Division of Alcohol Beverage Licensing and Regulation.....	294	294	H FAILED
1149	Judiciary and Rules	278	FISH AND GAME - Amends existing law relating to fish and game to authorize the Fish and Game Commission to adopt rules governing the collection of fees to recover costs relating to the performance of certain technical services provided by the department regarding land and water use and to provide for fees.....	-	278	H Held at Desk
1150 AAH	Judiciary and Rules	221	MOTOR VEHICLES - Amends existing law relating to abandoned motor vehicles..... (House Amendments - p. 383)	-	384	H 2nd Rdg
1151	Judiciary and Rules	221	PAYDAY LOANS - Amends existing law to provide that a payday loan made in this state in violation of the licensing requirement of the Department of Finance is void, uncollectible and unenforceable to provide that for any such payday loan the debtor is not obligated to pay the principal or any fee associated with such payday loan, to provide procedures, and to provide for cease and desist actions by the Director of the Department of Finance.....	268	282	LAW
1152	Judiciary and Rules	221	WORKER'S COMPENSATION - Amends existing law to provide that worker's compensation benefits payable to a resident of this state under the worker's compensation laws of any other state shall not be assignable and shall be exempt from execution with exceptions.....	363	368	LAW
1153	Judiciary and Rules	226	DRIVING UNDER THE INFLUENCE - Amends existing law relating to driving under the influence to provide that certain offenders enrolled in drug court shall be eligible for restricted noncommercial driving privileges under certain conditions; to revise information required to be given to offenders; to revise penalties for excessive alcohol concentration; and to revise penalties related to driving under the influence of alcohol, drugs or other intoxicating substances.....	263	278	LAW
1154	State Affairs	233	SCHOOL DISTRICTS - BONDS - Amends existing law relating to fiscal affairs of school districts; to revise provisions relating to the state's guaranty of a school district's eligible bonds; to revise provisions relating to the monitoring of the fiscal solvency of school districts; to revise payment interception provisions; and to revise provisions relating to the Credit Enhancement Program.....	263	278	LAW
1156	State Affairs	250	SUNSHINE LAW - Adds to existing law to provide for a financial disclosure statement for public officers and candidates for public office to be filed with the Secretary of State, to provide a duty to file, to provide the contents of the statement and to provide penalties.....	-	250	H Held at Desk

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1158	Finance	221	MEDICALLY INDIGENT PROGRAM - Amends and adds to existing law relating to the medically indigent to provide certain Department of Health and Welfare responsibilities for the Medically Indigent Program; to revise county and administrator responsibilities for the program; and to provide legislative intent.	261	278	LAW
1159	Judiciary and Rules	226	EDUCATION - Amends law relating to education to provide for a calculation of support units for certain school districts.....	261	261	H FAILED
1161	Judiciary and Rules	221	ELECTRONIC RECORDING COMMISSION - Amends existing law relating to the Electronic Recording Commission to provide for location of the commission in the office of the Secretary of State and to provide a certain duty of the commission members.	-	221	H Loc Gov
1162	Judiciary and Rules	278	DOMESTIC WATER SYSTEMS - Amends existing law relating to domestic water systems to revise provisions relating to the storage, treatment and transmission of domestic water.	-	278	H Held at Desk
1165	State Affairs	278	PUBLIC SCHOOLS - RURAL SCHOOL DISTRICTS - Adds to existing law relating to public schools to provide that certain school districts shall be considered rural school districts and to provide that certain public charter schools shall be considered rural public charter schools.....	300	307	LAW
1166 AA	State Affairs	304	STATE INSURANCE FUND - Adds to and repeals existing law relating to the State Insurance Fund. (Senate Amendments - See Senate Journal)	361	362	LAW
1167	State Affairs	278	WATER RESOURCE BOARD - Amends existing law relating to water to provide that project proposals relating to the diversion of certain natural flow water for specified managed recharge projects must be submitted to the Water Resource Board for approval or disapproval.....	299	307	LAW
1169	State Affairs	278	PUBLIC UTILITIES COMMISSION - SWAN FALLS AGREEMENT - WATER RIGHTS - Adds to existing law relating to the Idaho Public Utilities Commission and electric utility water rights to provide that the Public Utilities Commission shall have no jurisdiction to consider certain issues and shall accept as reasonable and in the public interest for all purposes Article II of the Framework Reaffirming the Swan Falls Settlement in any proceedings before the Commission; and to provide that implementation of provisions of Article II of the Framework Reaffirming the Swan Falls Settlement shall not constitute a sale, assignment, conveyance or transfer as specified.	299	307	LAW
1170	Finance	250	APPROPRIATIONS - DEPARTMENT OF FINANCE - Appropriates \$5,517,900 to the Department of Finance for fiscal year 2010; and limits the number of full-time equivalent positions to 54.	268	282	LAW

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1171	Finance	257	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Appropriates \$594,200 to the Endowment Fund Investment Board for fiscal year 2010; limits the number of full-time equivalent positions to 4; provides a continuous appropriation for consulting fees, bank custodial fees, and portfolio related costs; provides legislative intent regarding the transfer of moneys from the various earnings reserve funds to the income funds; and directs a salary reduction.	268	282	LAW
1172	Finance	257	APPROPRIATIONS - LAVA HOT SPRINGS FOUNDATION - Appropriates \$1,625,800 to the Lava Hot Springs Foundation, limits the number of full-time equivalent positions to 11, and directs salary reductions.	268	282	LAW
1173	Finance	257	APPROPRIATIONS - BOARD OF TAX APPEALS - Appropriates \$506,500 to the Board of Tax Appeals; limits the number of full-time equivalent positions to 6; and directs a 5% reduction in personnel costs.	268	282	LAW
1174	Finance	257	APPROPRIATIONS - STATE TAX COMMISSION - Appropriates \$32,092,600 to the State Tax Commission; limits the number of full-time equivalent positions to 413.5; directs a 5% personnel cost reduction; and reduces the Tax Commissioner salaries by 3%.	269	282	LAW
1175 AA	State Affairs	278	FISH AND GAME - Amends existing law relating to fish and game to provide that the department shall take specified action relating to the relocation of bighorn sheep, to provide that specified domestic sheep and livestock operations shall be held harmless from adverse impacts by the state of Idaho, to provide for the relocation or control of certain bighorn sheep by the Director of the Department of Fish and Game and to delete reference to provisions relating to the employment of certain veterinarians by the Department of Agriculture. (Senate Amendments - See Senate Journal)	302	307	VETOED
1176	Finance	278	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Appropriates \$23,006,700 to the Office of Species Conservation for fiscal year 2010; limits the number of full-time equivalent positions to 8; and directs a 5% personnel cost reduction.	288	296	VETOED
1177	Finance	278	APPROPRIATIONS - FISH AND GAME DEPARTMENT - Appropriates \$73,368,000 to the Department of Fish and Game for fiscal year 2010; limits the number of full-time equivalent positions to 528; directs the transfer of \$200,000 from the Winter Feeding Fund to the Depredation Control Fund; and directs a salary reduction.	288	296	VETOED
1178	Finance	278	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Appropriates \$36,446,200 to the Department of Parks and Recreation for fiscal year 2010; limits the number of full-time equivalent positions to 164.5; allows certain transfers between programs; provides reappropriation authority for the Capital Development Program; and directs a 5% personnel cost reduction.	288	296	VETOED

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1179	Finance	278	APPROPRIATIONS - ENERGY RESOURCES OFFICE - Appropriates \$18,850,800 to the Office of Energy Resources for FY 2010; limits the number of full-time equivalent positions to 18; and directs a 5% salary reduction.....	288	296	VETOED
1180	Finance	278	APPROPRIATIONS - DIVISION OF PUBLIC WORKS - PERMANENT BUILDING FUND - Appropriates \$27,438,600 to the Public Works Division, Permanent Building Fund, for fiscal year 2010.....	289	296	LAW
1181	Finance	278	APPROPRIATIONS - STATE BOARD OF EDUCATION - Appropriates \$4,029,000 to the State Board of Education for the Office of the State Board of Education; limits the number of full-time equivalent positions to 23.5; provides legislative intent on personnel costs; directs salary reductions; and provides for an emergency clause for the implementation of the salary reduction.	289	296	VETOED
1182 AA,AAH	Judiciary and Rules	304	LICENSE PLATES - SPECIAL - REQUIREMENTS TO PARTICIPATE - Amends and adds to existing law relating to motor vehicle registration and license plates to provide that any organization seeking to participate in the special license plate program shall be required to complete an application process. (Senate Amendments - See Senate Journal) (House Amendments - p. 383)	-	384	H 2nd Rdg
1183	Judiciary and Rules	278	MOTOR VEHICLE REGISTRATION - Amends existing law relating to motor vehicle registration to provide for provisions relating to wrecker plates and to provide for the display of a wrecker plate.	328	336	LAW
1184	State Affairs	294	COMMISSION FOR REAPPORTIONMENT - Amends existing law relating to the Commission for Reapportionment to provide that a person who has served on a Commission for Reapportionment shall be precluded from serving on a future Commission for Reapportionment unless the commission is reconstituted because a court of competent jurisdiction has invalidated a plan of the commission and the commission is required to meet to complete a future reapportionment or redistricting plan and to clarify the date of application on the limitation; and to revise criteria for reapportionment or redistricting plans.	318	322	LAW
1185	State Affairs	278	GROUND WATER RECHARGE - Amends and repeals existing law relating to ground water recharge to authorize the Director of the Department of Water Resources to issue certain permits and licenses; to provide for the regulation and reduction of the amount of water authorized to be diverted for recharge purposes; to provide that the director may fix a term of years in certain permits or licenses during which the amount of water authorized to be diverted shall not be reduced; to authorize the director to approve, disapprove or require alterations in methods employed to achieve ground water recharge; and to provide that the director shall order the cessation of operations under certain circumstances.....	300	307	LAW

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1186	Finance	266	HIGHWAY PROJECTS - GARVEE BONDING AUTHORITY - Provides bonding authority in a principal amount to finance \$82,000,000 of highway transportation projects and provide intent language regarding the use of bond proceeds.....	279	291	LAW
1187	Finance	278	APPROPRIATIONS - HUMAN RIGHTS COMMISSION - Appropriates \$880,000 to the Office of the Governor for the Human Rights Commission for fiscal year 2010; and limits the number of full-time equivalent positions to 11.	289	296	VETOED
1188	Finance	278	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates \$4,962,200 for the Public Utilities Division for fiscal year 2010; limits the number of authorized full-time equivalent positions to 49; directs the reduction of personnel costs, and declares an emergency.	289	296	VETOED
1189	Finance	278	APPROPRIATIONS - PUBLIC EMPLOYEE RETIREMENT SYSTEM - Appropriates \$7,213,500 to the Public Employee Retirement System for fiscal year 2010; limits the number of full-time equivalent positions to 65; clarifies the appropriation for the Portfolio Investment Program; provides legislative intent on personnel costs; and directs salary reductions.	289	296	VETOED
1190	Finance	278	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates \$65,877,900 to the Idaho State Police for fiscal year 2010; limits the number of full-time equivalent positions to 549.07; provides legislative intent on personnel costs; and directs salary reductions.....	290	296	VETOED
1191	Finance	278	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Appropriates \$2,145,700 to the Office of State Appellate Public Defender for fiscal year 2010; limits authorized full-time equivalent positions to 21; provides legislative intent on personnel costs; and directs salary reductions.	290	296	VETOED
1192	Finance	283	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Appropriates \$169,565,000 to the Department of Correction for fiscal year 2010; limits the number of authorized full-time equivalent positions to 1,626.80; provides legislative intent on personnel costs; and directs salary reductions.....	298	307	VETOED
1193	Finance	283	APPROPRIATIONS - ATTORNEY GENERAL - Appropriates \$19,103,700 to the Attorney General for fiscal year 2010; limits the authorized full-time equivalent positions to 207.15; transfers moneys from the Department of Fish and Game to the Attorney General for fiscal year 2009; transfers moneys from the Bureau of Occupational Licenses to the Attorney General for fiscal year 2009; provides legislative intent on personnel costs; and directs salary reductions.	298	307	LAW
1194	Finance	283	APPROPRIATIONS - EDUCATIONAL PUBLIC BROADCASTING - Appropriates \$2,612,600 to the Idaho Educational Public Broadcasting System; limits the number of full-time equivalent positions to 33; provides legislative intent on personnel costs; and directs salary reductions.	298	307	VETOED

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1195	Finance	283	APPROPRIATIONS - SELF-GOVERNING AGENCIES - MEDICAL BOARDS, REGULATORY BOARDS - Appropriates \$10,523,600 to the Self-Governing Agencies for the Medical Boards and the Regulatory Boards; limits the number of full-time equivalent positions to 102.3; provides legislative intent on personnel costs; and directs salary reductions.	299	307	VETOED
1197	Finance	283	APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION - Appropriates \$27,386,700 to the Division of Vocational Rehabilitation; limits the number of full-time equivalent positions to 151; provides legislative intent on personnel costs; and directs salary reductions.	299	307	VETOED
1198	Finance	283	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates \$4,667,100 to the Office of the Governor for the Commission for the Blind and Visually Impaired; limits the number of full-time equivalent positions to 42; provides legislative intent on personnel costs; directs salary reductions; and provides for an emergency clause for the implementation of the salary reduction.	299	307	VETOED
1199	Finance	287	APPROPRIATIONS - CATASTROPHIC HEALTH CARE FUND - Appropriates and directs the State Controller to transfer \$19,771,700 from the General Fund to the Catastrophic Health Care Fund for fiscal year 2010; appropriates and directs the State Controller to transfer \$2,500,000 from the General Fund to the Catastrophic Health Care Fund for fiscal year 2009; and appropriates \$381,900 to the Department of Health and Welfare Medically Indigent Administration Division for fiscal year 2010.	300	307	LAW
1200	Finance	287	APPROPRIATIONS - MILLENNIUM FUND - Appropriates \$3,677,200 from the Idaho Millennium Income Fund and directs the State Controller to transfer moneys for the purposes and programs specified for fiscal year 2010; appropriates \$848,100 from the Idaho Millennium Income Fund to the State Treasurer for the purposes and programs specified for fiscal year 2010; and provides that certain unexpended and unencumbered moneys shall be reverted to the Idaho Millennium Income Fund.	300	307	LAW
1201	Finance	287	APPROPRIATIONS - STATE LIQUOR DISPENSARY - Appropriates \$15,445,200 to the State Liquor Dispensary for fiscal year 2010; limits the number of full-time equivalent positions to 201; reappropriates certain fund balances; amends the Laws of 2006 to revise a certain date; provides legislative intent on personnel costs; and directs salary reductions.	301	307	VETOED
1202	Finance	287	APPROPRIATIONS - HISTORICAL SOCIETY - Appropriates \$196,800 to the Idaho State Historical Society for fiscal year 2009; appropriates \$4,850,100 to the Idaho State Historical Society for fiscal year 2010; limits the number of full-time equivalent positions to 49.02; provides for reappropriation for certain funds; provides legislative intent on personnel costs; directs salary reductions; reauthorizes certain limited service positions; and provides for an emergency clause for the supplemental appropriation and implementation of the salary reduction.	301	307	VETOED

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1203	Finance	287	APPROPRIATIONS - COMMISSION FOR LIBRARIES - Appropriates \$4,995,600 to Idaho Commission for Libraries for fiscal year 2010; limits full-time equivalent positions to 45.50; provides legislative intent on personnel costs; and directs salary reductions.....	301	307	VETOED
1204	State Affairs	303	ALCOHOLIC BEVERAGES - Amends existing law relating to alcoholic beverages to delete provisions relating to an official seal or label attached to packages of liquor sold to the general public, at a liquor store or distribution station, which is not a local premises; to delete a requirement that a container of alcoholic liquor sold to the general public with an official seal or label affixed to such container; and to revise provisions relating to the illegal possession of certain alcoholic liquor.....	321	330	LAW
1205	Finance	287	APPROPRIATIONS - CAPITOL COMMISSION - Appropriates \$903,300 to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2010; limits the number of full-time equivalent positions to 2; provides for reappropriation of dedicated funds; provides legislative intent on personnel costs; directs salary reductions; and reauthorizes limited service positions.....	301	307	VETOED
1206	Finance	287	APPROPRIATIONS - AGRICULTURAL RESEARCH/COOPERATIVE EXTENSION SERVICE - Appropriates \$25,039,900 to the Board of Regents of the University of Idaho for the Agricultural Research and Cooperative Extension Service for fiscal year 2010; provides legislative intent on personnel costs; and directs salary reductions.....	301	307	VETOED
1207	Finance	294	APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Appropriates \$408,210,000 to the State Board of Education and the Board of Regents of the University of Idaho for Boise State University, Idaho State University, University of Idaho, Lewis-Clark State College, and for the Office of the State Board of Education for fiscal year 2010; provides legislative intent that certain amounts appropriated be used by the Office of the State Board of Education for statewide programs; provides intent regarding a tracking and reporting system for faculty and staff turnover; reappropriates certain unexpended and unencumbered balances; provides for the transfer of certain funds; provides legislative intent on personnel costs; and directs salary reductions.....	309	313	LAW
1208	Finance	294	APPROPRIATIONS - PROFESSIONAL-TECHNICAL EDUCATION - Appropriates \$62,036,000 to the State Board for Professional-Technical Education for the Division of Professional-Technical Education for fiscal year 2010; reappropriates certain unexpended and unencumbered balances; provides legislative intent on personnel costs; directs salary reductions; and provides for the transfer of certain funds.....	309	313	LAW

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1209	Finance	294	APPROPRIATIONS - COMMISSION ON AGING - Appropriates \$13,798,900 for the Commission on Aging for fiscal year 2010; limits the number of full-time equivalent positions to 15.35; appropriates additional moneys to the Commission on Aging for fiscal year 2009; provides legislative intent on personnel costs; and directs salary reductions.	309	313	LAW
1210	Finance	294	APPROPRIATIONS - IDAHO SCHOOL FOR THE DEAF AND THE BLIND - Appropriates \$7,792,100 to the Idaho School for the Deaf and the Blind; limits the number of full-time equivalent positions; provides legislative intent on personnel costs; provides legislative intent on school operations; and directs salary reductions.	309	313	LAW
1211	Finance	294	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Appropriates \$1,562,000 to the Division of Financial Management for fiscal year 2010; limits the number of authorized full-time equivalent positions to 19; provides legislative intent on personnel costs; and directs salary reductions.	310	313	LAW
1212	Finance	294	APPROPRIATIONS - MILITARY DIVISION - Appropriates \$1,360,000 from the American Reinvestment Fund to the Military Division for fiscal year 2009; appropriates \$900,000 from the American Reinvestment Fund to the Military Division for fiscal year 2010; and provides a reappropriation of a certain unexpended and unencumbered balance of moneys.	310	313	LAW
1214	State Affairs	294	UNEMPLOYMENT BENEFITS - Amends existing law relating to unemployment benefits; to provide for a state "on" indicator relating to the American Recovery and Reinvestment Act of 2009, to revise provisions relating to a state "off" indicator, and to provide for total extended benefit amounts in high unemployment periods.	-	317	H Com/HuRes
1215	State Affairs	303	STATE CAPITOL - FOOD SERVICE - Amends existing law to provide that the State Capitol Building is not defined as a public building for certain food service provisions.	321	330	LAW
1216	Finance	294	APPROPRIATIONS - SECRETARY OF STATE - Appropriates \$2,048,200 to the Secretary of State; limits the number of full-time equivalent positions to 30; provides legislative intent on personnel costs; and directs salary reductions.	339	362	LAW
1217	Finance	297	APPROPRIATIONS DIVISION OF VETERANS SERVICES - Appropriates \$24,016,900 to the Division of Veterans Services; limits the number of full-time equivalent positions to 310.3; provides legislative intent on personnel costs; and directs salary reductions.	310	313	LAW
1218	Finance	297	APPROPRIATIONS DEPARTMENT OF ADMINISTRATION - Appropriates \$57,339,600 to the Department of Administration; limits the number of full-time equivalent positions to 155.1; provides legislative intent on personnel costs; and directs salary reductions.	310	313	LAW

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1219	Finance	297	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Appropriates an additional \$264,000 to the Department of Parks and Recreation for fiscal year 2010.	310	313	LAW
1220	Finance	297	APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR - Appropriates \$1,947,000 to the Executive Office of the Governor for fiscal year 2010; limits the authorized full-time equivalent positions to 26; provides legislative intent on personnel costs; directs salary reductions; appropriates additional funds for fiscal year 2009; and provides carryover authority for dedicated funds.....	311	313	LAW
1221	Finance	297	APPROPRIATIONS DEPARTMENT OF HEALTH AND WELFARE PUBLIC HEALTH SERVICES - Appropriates \$81,146,700 to the Department of Health and Welfare for Public Health Services for fiscal year 2010; limits the number of full-time equivalent positions to 206.19; appropriates additional moneys to the Department of Health and Welfare for Physical Health Services for fiscal year 2009; provides that the State Controller shall make transfers from the General Fund; directs that funds for trustee and benefit payments shall not be transferred; provides legislative intent for the education stipend for Department of Health and Welfare employees; allows transfers between personnel costs and operating expenditures; expresses legislative intent relating to certain Millennium Income Fund; provides legislative intent on personnel costs; and directs salary reductions.....	314	319	LAW
1222	Finance	294	APPROPRIATIONS - FY 2009 YEAR-END TRANSFERS - FY 2010 FUND TRANSFERS - FEDERAL STIMULUS FUNDS - Authorizes the transfer of Budget Stabilization and Public Education Stabilization Fund to the General Fund under certain conditions; transfers \$30,000,000 from the Budget Stabilization Fund to the General Fund; appropriates federal stimulus funds to the Departments of Environmental Quality, Administration, Water Resources, and Transportation; provides legislative intent on the use of federal stimulus funds; makes null and void all references to salary reductions in FY 2010 appropriations; appropriates additional moneys to state agencies and institutions for personnel costs; provides a nonseverability clause; and declares an emergency.....	294	294	H FAILED
1224	Finance	320	APPROPRIATIONS DEPARTMENT OF LABOR - Directs the State Controller to transfer \$446,900 from the Rural Broadband Development Fund to the General Fund for fiscal year 2010; appropriates \$7,500,000 for administration of the Unemployment Insurance and Employment Services Program for fiscal year 2009; appropriates \$3,233,200 to the Department of Labor for fiscal year 2010; limits the number of full-time equivalent positions to 14; provides legislative intent on personnel costs; and directs salary reductions.	327	336	LAW

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1225	Finance	376	APPROPRIATIONS - DEPARTMENT OF PARKS & RECREATION AND DEPARTMENT OF AGRICULTURE - Appropriates an additional \$1,580,000 to the Department of Parks and Recreation for fiscal year 2009 and 2010 to be used for administrative costs and pass through funds, and appropriates an additional \$1,515,000 to the Department of Agriculture for implementation of the Invasive Species Fund.	381	385	LAW
1226	Finance	320	APPROPRIATIONS - BOARD OF MIDWIFERY - BOARD OF OCCUPATIONAL THERAPISTS - Appropriates an additional \$27,000 to the Bureau of Occupational Licenses for the Board of Midwifery for fiscal year 2010 and \$36,000 to the Bureau of Occupational Licenses for the Board of Occupational Therapists for fiscal year 2010 and authorizes one additional full-time equivalent position for the Idaho Commission on Hispanic Affairs.	327	336	LAW
1227	Finance	317	APPROPRIATIONS - FISCAL YEAR 2009 YEAR-END TRANSFERS - FISCAL YEAR 2010 FUND TRANSFERS - FEDERAL STIMULUS FUNDS - Authorizes the transfer of Budget Stabilization Fund moneys and Public Education Stabilization Fund moneys to the General Fund under certain conditions; transfers \$30,000,000 from the Budget Stabilization Fund to the General Fund; appropriates federal stimulus funds to the Departments of Environmental Quality, Administration and Transportation and provides legislative intent on the use of federal stimulus funds, makes null and void all references to salary reductions in fiscal year 2010 appropriations; appropriates additional moneys to the Executive Office of the Governor for fiscal year 2010; and appropriates additional moneys to state agencies and institutions for personnel costs in dedicated and federal funds.	352	362	LAW
1228	Finance	385	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates \$65,877,900 to the Idaho State Police for fiscal year 2010; limits the number of full-time equivalent positions to 549.07; provides legislative intent on personnel costs; and directs salary reductions.	385	388	LAW
1229	Finance	320	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates \$4,962,200 for the Public Utilities Division for fiscal year 2010; limits the number of authorized full-time equivalent positions to 49; directs the reduction of personnel costs; and declares an emergency.	327	336	LAW
1230	Finance	320	APPROPRIATIONS - STATE BOARD OF EDUCATION - Appropriates \$4,029,000 to the State Board of Education for the Office of the State Board of Education; limits the number of full-time equivalent positions to 23.5; provides legislative intent on personnel costs; directs salary reductions; and provides an emergency clause for the implementation of the salary reduction.	328	336	LAW
1231	Finance	320	APPROPRIATIONS - ENERGY RESOURCES OFFICE - Appropriates \$18,850,800 to the Office of Energy Resources for fiscal year 2010; limits the number of full-time equivalent positions to 18; and directs a 5% salary reduction.	328	336	LAW

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1232 AA	State Affairs	336	FISH AND GAME - Amends existing law relating to fish and game to provide that the department shall take specified action relating to the relocation of bighorn sheep, to state a policy of the state of Idaho, to provide for the development of a state management plan, to provide for certain certification by the Director of the Department of Fish and Game; and to delete reference to provisions relating to the employment of certain veterinarians by the Department of Agriculture..... (Senate Amendments - See Senate Journal)	354	362	LAW
1233	Finance	369	BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND - Directs that references to the Idaho School for the Deaf and the Blind shall mean the Bureau of Educational Services for the Deaf and the Blind and locates the Bureau's budget within the Educational Support Program/Division of Children's Programs.....	369	373	LAW
1234	Finance	363	APPROPRIATIONS - HUMAN RIGHTS COMMISSION - Appropriates \$880,000 to the Office of the Governor for the Human Rights Commission for fiscal year 2010; and limits the number of full-time equivalent positions to 11.	364	368	LAW
1235	Finance	376	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Appropriates \$2,145,700 to the Office of State Appellate Public Defender for fiscal year 2010; limits authorized full-time equivalent positions to 21; provides legislative intent on personnel costs; and directs salary reductions.	380	385	LAW
1236	Finance	385	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Appropriates \$169,565,000 to the Department of Correction for fiscal year 2010; limits the number of authorized full-time equivalent positions to 1,626.8; provides legislative intent on personnel costs; and directs salary reductions.....	386	388	LAW
1237	Finance	363	APPROPRIATIONS - EDUCATIONAL PUBLIC BROADCASTING - Appropriates \$2,612,600 to the Idaho Educational Public Broadcasting System; limits the number of full-time equivalent positions to 33; provides legislative intent on personnel costs; and directs salary reductions.	364	368	LAW
1238	Finance	363	APPROPRIATIONS - SELF-GOVERNING AGENCIES - MEDICAL BOARDS, REGULATORY BOARDS - Appropriates \$10,523,600 to the Self-Governing Agencies for the Medical Boards and the Regulatory Boards; limits the number of full-time equivalent positions to 102.3; provides legislative intent on personnel costs; and directs salary reductions.	365	368	LAW
1239	Finance	376	APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION - Appropriates \$27,386,700 to the Division of Vocational Rehabilitation; limits the number of full-time equivalent positions to 151; provides legislative intent on personnel costs; and directs salary reductions.	380	385	LAW

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1240	Finance	363	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates \$4,667,100 to the Office of the Governor for the Commission for the Blind and Visually Impaired; limits the number of full-time equivalent positions to 42; provides legislative intent on personnel costs; directs salary reductions; and provides for an emergency clause for the implementation of the salary reduction.	365	368	LAW
1241	Finance	363	APPROPRIATIONS - STATE LIQUOR DISPENSARY - Appropriates \$15,445,200 to the State Liquor Dispensary for fiscal year 2010; limits the number of full-time equivalent positions to 201; reappropriates certain fund balances; amends the Laws of 2006 to revise a certain date; provides legislative intent on personnel costs; and directs salary reductions.	365	368	LAW
1242	Finance	363	APPROPRIATIONS - HISTORICAL SOCIETY - Appropriates \$196,800 to the Idaho State Historical Society for fiscal year 2009; appropriates \$4,850,100 to the Idaho State Historical Society for fiscal year 2010; limits the number of full-time equivalent positions to 49.02; provides for reappropriation for certain funds; provides legislative intent on personnel costs; directs salary reductions; reauthorizes certain limited service positions; and provides for an emergency clause for the supplemental appropriation and implementation of the salary reduction.	366	368	LAW
1243	Finance	363	APPROPRIATIONS - COMMISSION FOR LIBRARIES - Appropriates \$4,995,600 to Idaho Commission for Libraries for fiscal year 2010; limits full-time equivalent positions to 45.5; provides legislative intent on personnel costs; and directs salary reductions.	366	368	LAW
1244	Finance	363	APPROPRIATIONS - CAPITOL COMMISSION - Appropriates \$903,300 to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2010; limits the number of full-time equivalent positions to 2; provides for reappropriation of dedicated funds; provides legislative intent on personnel costs; directs salary reductions; and reauthorizes limited service positions.	367	368	LAW
1245	Finance	387	APPROPRIATIONS - AGRICULTURAL RESEARCH/COOPERATIVE EXTENSION SERVICE - Appropriates \$25,039,900 to the Board of Regents of the University of Idaho for the Agricultural Research and Cooperative Extension Service for fiscal year 2010; provides legislative intent on personnel costs; and directs salary reductions.	388	388	LAW
1246	State Affairs	374	LEGISLATIVE SESSION - EFFECTIVE DATES - Adds to existing law to clarify the effective dates for certain acts or sections of acts enacted by the First Regular Session of the Sixtieth Idaho Legislature.	379	385	LAW

Senate Concurrent Resolution No.	Introduced By:	Intro- duction Page	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
101	Judiciary and Rules	34	CONCURRENT RESOLUTION - SPECIAL OLYMPICS - Stating findings of the Legislature and honoring the 2009 Special Olympics World Winter Games and the Idaho Optometric Physicians who will participate in the visual screen for the 2009 Special Olympics World Winter Games.	46	52	ADOPTED
102	State Affairs	53	HONORARY GOVERNOR - Stating findings of the Legislature and providing that Abraham Lincoln of Illinois is hereby declared to be the Honorary Governor of the former Territory of Idaho for the day of February 12, 2009.	80	90	ADOPTED
103	Health and Welfare	97	DEPARTMENT OF ENVIRONMENTAL QUALITY - RULE - Stating findings of the Legislature rejecting a certain rulemaking docket of the Department of Environmental Quality relating to individual/subsurface sewage disposal rules.	274	285	ADOPTED
104	Judiciary and Rules	114	FISH AND GAME COMMISSION - Stating findings of the Legislature and rejecting a certain rule docket of the Fish and Game Commission relating to rules governing licensing.	274	285	ADOPTED
105	Judiciary and Rules	114	FISH AND GAME COMMISSION - RULES - Stating findings of the Legislature and rejecting a certain rule docket of the Fish and Game Commission relating to rules governing the taking of big game animals in the state of Idaho.	274	285	ADOPTED
106	Judiciary and Rules	114	DEPARTMENT OF PARKS AND RECREATIONS - RULES - Stating findings of the Legislature and rejecting a certain rule docket of the Department of Parks and Recreation relating to rules governing the administration of park and recreation areas and facilities.	274	285	ADOPTED
107	State Affairs	166	FEE RULES - Stating findings of the Legislature and approving administrative rules that impose a fee or charge, with stated exceptions, rejecting certain agency rules that are not approved and providing an effective date for a certain rule.	275	285	ADOPTED
108	State Affairs	166	ADMINISTRATIVE RULES - TEMPORARY - Stating findings of the Legislature and approving and extending temporary rules reviewed by the Legislature.	275	285	ADOPTED
109	Judiciary and Rules	201	QUAGGA MUSSELS - ZEBRA MUSSELS - Stating findings of the Legislature resolving that a condition of extreme peril exists in and around the water bodies of the state of Idaho; proclaiming that a state of emergency exists within the state of Idaho; and asking that deficiency warrant funding authorized by the Idaho Invasive Species Act of 2008 be used by the Idaho State Department of Agriculture for personnel, equipment and facilities for the performance of any and all activities associated with quagga and zebra mussel prevention, development and implementation of incident response plans and interagency agreements.	274	285	ADOPTED

Senate Concurrent Resolution <u>No.</u>	Introduced <u>By:</u>	Intro- duction <u>Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
110	Judiciary and Rules	232	TELEWORK POLICIES AND PROGRAMS - Stating findings of the Legislature supporting and encouraging all government and business employers in the development and implementation of telework policies and programs for their employees; and encouraging the continued exploration and, to the extent feasible within available resources, assistance in the improvement and availability of the appropriate technology infrastructure which will aid employers and their employees in maximizing the full potential deployment of telework within the state of Idaho.	275	285	ADOPTED
111	State Affairs	249	M. ALLYN DINGEL - COMMENDED - Stating findings of the Legislature and honoring and commending M. Allyn Dingel for his years of service to the Legislature of the State of Idaho, to the Idaho Courts and for his charitable and philanthropic endeavors.	304	313	ADOPTED
112	Finance	286	CYSTIC FIBROSIS PROGRAM - DEPARTMENT OF HEALTH AND WELFARE - Stating findings of the Legislature and requesting the Department of Health and Welfare to review the eligibility criteria for and the services available through the Adult Cystic Fibrosis Program and report to the Legislative Health Care Task Force regarding certain options for restructuring that program.	314	319	ADOPTED

<u>Senate Joint Memorial No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
101	Judiciary and Rules	174	MEDICAL RESIDENCY PROGRAMS - Stating findings of the Legislature and urging Congress to provide additional financial opportunities to fund medical residency programs.....	275	285	ADOPTED
102	State Affairs	232	EMPLOYEE FREE CHOICE ACT - Stating findings of the Legislature and urging the members of Congress representing the state of Idaho to oppose final passage of the Employee Free Choice Act.	284	291	ADOPTED

<u>Senate Joint Resolution No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
101	State Affairs	144	UNIVERSITY OF IDAHO BOARD OF REGENTS - TUITION - Proposing an amendment to the Constitution of the State of Idaho to permit the Board of Regents of the University of Idaho to impose rates of tuition and fees on all students enrolled in the University of Idaho as authorized by law.....	269	282	ADOPTED

HOUSE BILLS WHICH BECAME LAW

<u>House Bill No.</u>	<u>Introduced by</u>	<u>Signed by Governor</u>	<u>Effective Date(s)</u>	<u>Session Laws Chapter No.</u>
1	Business	03/03/2009	07/01/2009	20
3	Revenue and Taxation	02/18/2009	01/01/2009	2
4	Revenue and Taxation	02/19/2009	01/01/2009	7
6	Environment, Energy, and Technology	02/19/2009	07/01/2009	8
7	Environment, Energy, and Technology	02/19/2009	07/01/2009	9
9	Revenue and Taxation	03/03/2009	07/01/2009	21
10	Revenue and Taxation	04/02/2009	07/01/2009	91
11	Revenue and Taxation	02/18/2009	07/01/2009	3
12	Revenue and Taxation	02/18/2009	07/01/2009	4
13	State Affairs	02/18/2009	07/01/2009	6
14 AA,AAS	State Affairs	04/09/2009	07/01/2009	148
15	State Affairs	02/18/2009	07/01/2009	5
18	Education	03/03/2009	03/03/09; 09/02/09 Sunset Clause	22
20	State Affairs	02/26/2009	07/01/2009	19
22	State Affairs	02/26/2009	07/01/2009	15
24	State Affairs	04/23/2009	07/01/2009	213
28	State Affairs	03/03/2009	07/01/2009	23
31 AAS	Resources and Conservation	03/23/2009	07/01/2009	36
32 AA	State Affairs	04/03/2009	07/01/2009	93
34 AAS	Agricultural Affairs	03/23/2009	07/01/2009	37
35	Agricultural Affairs	03/17/2009	07/01/2009	32
36	Agricultural Affairs	03/23/2009	07/01/2009	38
37	Agricultural Affairs	03/23/2009	07/01/2009	39
38	Health and Welfare	04/03/2009	07/01/2009	94
40	Business	03/25/2009	07/01/2009	54
41	Business	04/01/2009	07/01/2009	66
43	Commerce and Human Resources	04/14/2009	07/01/2009	162
44	Health and Welfare	04/03/2009	07/01/2009	95
45	Health and Welfare	03/17/2009	07/01/2009	33

<u>House Bill No.</u>	<u>Introduced by</u>	<u>Signed by Governor</u>	<u>Effective Date(s)</u>	<u>Session Laws Chapter No.</u>
46 AA	Health and Welfare	04/09/2009	07/01/2009	149
51	Revenue and Taxation	03/23/2009	01/01/09	40
55	Health and Welfare	04/01/2009	07/01/2009	67
57	Education	03/25/2009	07/01/08 Sections 1 & 3; 03/25/09 Section 2	55
59	Judiciary, Rules, and Administration	03/25/2009	07/01/2009	56
60	Judiciary, Rules, and Administration	law w/o sign.	07/01/2009	61
64 AAS,AAS	Revenue and Taxation	03/17/2009	01/01/08 Subsection (c) 63-3004; 01/01/09 All other provisions	35
65 AA	State Affairs	04/08/2009	07/01/2009	110
66	Appropriations	02/26/2009	02/26/2009	16
67	Appropriations	02/26/2009	02/26/2009	17
70 AAS	Judiciary, Rules, and Administration	04/01/2009	07/01/2009	68
72	Judiciary, Rules, and Administration	04/03/2009	07/01/2009	96
75	Business	04/01/2009	07/01/2009	69
76 AAS	Business	04/01/2009	07/01/2009	70
78	Education	03/25/2009	07/01/2009	57
79 AAS	Education	03/23/2009	07/01/2009	41
80	Appropriations	02/26/2009	02/26/2009	18
83	Revenue and Taxation	03/23/2009	01/01/09	42
85	Appropriations	03/03/2009	03/03/2009	24
86	Appropriations	03/03/2009	03/03/2009	25
87	Judiciary, Rules, and Administration	04/01/2009	07/01/2009	71
88	Business	04/01/2009	07/01/2009	72
89	Business	04/01/2009	07/01/2009	73
90	Business	04/01/2009	07/01/2009	74
91	Business	04/01/2009	07/01/2009	75
92	Business	04/01/2009	07/01/2009	76
97 AA	Transportation and Defense	04/20/2009	07/01/09 only for counties specified	192
99	Agricultural Affairs	03/26/2009	07/01/2009	59
100	Agricultural Affairs	03/26/2009	07/01/2009	60

<u>House Bill No.</u>	<u>Introduced by</u>	<u>Signed by Governor</u>	<u>Effective Date(s)</u>	<u>Session Laws Chapter No.</u>
101	Agricultural Affairs	04/01/2009	07/01/2009	77
102	Judiciary, Rules, and Administration	03/23/2009	07/01/2009	43
103	Judiciary, Rules, and Administration	04/01/2009	07/01/2009	78
104	Judiciary, Rules, and Administration	04/01/2009	07/01/2009	79
105	Judiciary, Rules, and Administration	04/01/2009	07/01/2009	80
106 AA	Judiciary, Rules, and Administration	04/08/2009	07/01/2009	124
107	Judiciary, Rules, and Administration	04/01/2009	07/01/2009	81
108	Business	04/08/2009	07/01/2009	125
109	Business	04/01/2009	07/01/2009	89
110	Business	04/08/2009	07/01/2009	111
111	Business	04/08/2009	07/01/2009	112
112	Business	04/08/2009	07/01/2009	113
113	Business	04/08/2009	07/01/2009	126
115	Business	04/08/2009	07/01/2009	127
119	Revenue and Taxation	03/31/2009	03/31/09	62
121	Revenue and Taxation	03/31/2009	07/01/2009	63
123	Health and Welfare	03/17/2009	04/01/09 Section 4; 07/01/09 All other sections	34
124	Agricultural Affairs	04/08/2009	04/08/09	114
125	Agricultural Affairs	04/01/2009	07/01/2009	82
126	Agricultural Affairs	04/01/2009	07/01/2009	83
127	Agricultural Affairs	04/01/2009	07/01/2009	84
128	Agricultural Affairs	04/08/2009	07/01/2009	128
129	Agricultural Affairs	04/08/2009	07/01/2009	129
132 AAS	Transportation and Defense	03/23/2009	07/01/2009	44
137	Resources and Conservation	03/25/2009	07/01/2009	58
141 AAS	Revenue and Taxation	04/14/2009	07/01/2009	163
142	Revenue and Taxation	04/01/2009	07/01/2009	64
143	Local Government	03/25/2009	07/01/2009	53
145 AA	Health and Welfare	04/08/2009	07/01/2009	130
146 AA	Health and Welfare	04/23/2009	04/23/09	214

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147	Transportation and Defense	law w/o sign.	07/01/2009	155
151	Transportation and Defense	04/09/2009	07/01/2009	150
152 AAS	Transportation and Defense	04/02/2009	07/01/2009	92
154 AA	Transportation and Defense	04/01/2009	07/01/2009	85
157 AA	Education	04/08/2009	07/01/2009	131
159 AAS	Education	04/09/2009	07/01/2009	151
160 AA	Revenue and Taxation	04/08/2009	07/01/2009	132
163	Judiciary, Rules, and Administration	04/09/2009	07/01/2009	152
164	Judiciary, Rules, and Administration	04/08/2009	07/01/2009	115
168	Judiciary, Rules, and Administration	04/09/2009	07/01/2009	156
169	Business	04/03/2009	07/01/09	97
170	Business	04/17/2009	04/17/09	172
173	State Affairs	04/14/2009	04/14/09	164
178 AA	Judiciary, Rules, and Administration	04/29/2009	07/01/2009	250
179	Judiciary, Rules, and Administration	04/01/2009	07/01/2009	86
184	Judiciary, Rules, and Administration	04/01/2009	07/01/2009	90
185	State Affairs	04/01/2009	07/01/09; 07/01/14 Sunset Clause - Section 1	65
187 AAS	Business	05/04/2009	07/01/09; 07/01/10 Sunset Clause - Section 1	276
188	Business	04/08/2009	07/01/2009	133
189	Business	04/08/2009	07/01/2009	134
190	Business	04/08/2009	07/01/2009	135
191	Business	04/08/2009	07/01/2009	136
192	Business	04/01/2009	01/01/10 for specified plans	87
193	Education	04/01/2009	07/01/2009	88
194 AAS	State Affairs	04/21/2009	07/01/2009	195
195	State Affairs	05/04/2009	07/01/2009	277
198 AA	State Affairs	05/04/2009	07/01/2009	278
199	Education	05/06/2009	07/01/2009	286

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205	Revenue and Taxation	04/03/2009	07/01/2009	98
206	Revenue and Taxation	04/03/2009	07/01/2009	99
211	Education	05/12/2009	05/12/09	329
212	Education	04/09/2009	07/01/2009	160
213	State Affairs	04/08/2009	04/08/09	137
217 AAS	State Affairs	04/09/2009	04/09/09	153
218 AAS	State Affairs	05/04/2009	07/01/2009	279
220	State Affairs	04/17/2009	04/17/09	173
222	Education	04/09/2009	07/01/2009	154
226	State Affairs	05/12/2009	07/01/2009	330
229	State Affairs	04/23/2009	07/01/2009	215
230	State Affairs	04/20/2009	07/01/2009	193
231	State Affairs	04/24/2009	07/01/2009	237
232 AAS	Revenue and Taxation	04/23/2009	01/01/09 & for all proceedings pending	216
240 AA	State Affairs	04/23/2009	07/01/2009	217
241	State Affairs	04/20/2009	04/20/09	194
242	Revenue and Taxation	04/20/2009	07/01/2009	191
244 AA	Revenue and Taxation	04/23/2009	07/01/2009	218
248	State Affairs	04/24/2009	10/01/09 Section 1; 01/01/10 Section 2	238
250	Appropriations	04/14/2009	04/14/09	170
251	Education	04/23/2009	07/01/2009	219
252	Education	04/15/2009	04/15/09	171
253	Revenue and Taxation	04/23/2009	07/01/2009	220
255	Appropriations	04/14/2009	04/14/09	165
256 AAS,AAS	Education	05/05/2009	05/05/09 Section 2; 07/01/09 All other sections	284
258 AAS	State Affairs	05/04/2009	07/01/2009	280
260	State Affairs	04/23/2009	07/01/09; 07/01/11 Sunset Clause for Section 56-1511 only	221
261	State Affairs	04/23/2009	07/01/2009	222

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262 AAS	Education	05/05/2009	07/01/2009	285
264	Ways and Means	04/23/2009	04/23/09	223
265	Ways and Means	04/23/2009	07/01/2009	224
266	Ways and Means	04/23/2009	07/01/2009	225
267 AAS	Revenue and Taxation	05/04/2009	07/01/2009	281
268	Appropriations	04/23/2009	04/23/09 Section 6; 07/01/09 All other sections	226
269	Education	04/23/2009	07/01/2009	227
275	State Affairs	law w/o sign.	07/01/2009	344
276	Appropriations	04/23/2009	04/23/09 Sections 8, 9 & 10; 07/01/09 All other sections	234
277	Appropriations	04/23/2009	04/23/09 Sections 4 & 5; 07/01/09 All other sections	235
281	Revenue and Taxation	04/23/2009	01/01/09	228
287	Ways and Means	05/01/2009	07/01/2009	265
290	Appropriations	04/23/2009	04/23/09 Section 7; 07/01/09 All other sections	229
291	Appropriations	04/23/2009	04/23/09 Section 4; 07/01/09 All other sections	230
294	Appropriations	04/23/2009	04/23/09 Section 7; 07/01/09 All other sections	231
296	Appropriations	04/23/2009	04/23/09 Section 4; 07/01/09 All other sections	232
299	Appropriations	05/01/2009	05/01/09 Section 5; 07/01/09 All other sections	266
301	Appropriations	05/01/2009	05/01/09 Section 4; 07/01/09 All other sections	267
302	Appropriations	05/01/2009	05/01/09 Section 5; 07/01/09 All other sections	268
303 AAS,AAS	Ways and Means	05/18/2009	07/01/09 Sections 1 & 2; 07/01/11 Sections 4 & 5	340

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306	Ways and Means	04/27/2009	07/01/2009	244
308	Appropriations	04/30/2009	04/30/09 Section 5; 07/01/09 All other sections	253
309	Appropriations	04/30/2009	07/01/2009	254
310	Appropriations	04/30/2009	04/30/09 Section 6; 07/01/09 All other sections	255
311	Appropriations	05/01/2009	05/01/09 Sections 9 & 10; 07/01/09 All other sections	269
312	Appropriations	04/23/2009	04/23/09 Section 5; 07/01/09 All other sections	233
313	Appropriations	04/23/2009	04/23/09 Sections 7, 8 & 10; 07/01/09 All other sections	236
314	Appropriations	04/30/2009	04/30/09 Section 7; 07/01/09 All other sections	256
315	Appropriations	04/30/2009	04/30/09 Section 11; 07/01/09 All other sections	257
316	Appropriations	04/30/2009	04/30/09 Sections 3 & 10; 07/01/09 All other sections	258
317	Appropriations	04/30/2009	04/30/09 Section 8; 07/01/09 All other sections	259
318	Appropriations	04/30/2009	04/30/09 Sections 3, 4 & 12; 07/01/09 All other sections	260
319	Appropriations	04/30/2009	04/30/09 Sections 8, 9 & 10; 07/01/09 All other sections	261
320	Appropriations	04/30/2009	04/30/09 Sections 3, 4 & 10; 07/01/09 All other sections	262
321	Appropriations	04/30/2009	04/30/09 Sections 3, 4 & 12; 07/01/09 All other sections	263
322	Appropriations	04/30/2009	04/30/09 Section 10; 07/01/09 All other sections	264
323	Appropriations	05/01/2009	07/01/2009	270

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324	Appropriations	05/01/2009	07/01/2009	271
325	Appropriations	05/01/2009	07/01/2009	272
326	Appropriations	05/01/2009	07/01/2009	273
327	Appropriations	05/01/2009	07/01/2009	274
330	Appropriations	05/07/2009	05/07/09 Section 4; 07/01/09 All other sections	296
331	Appropriations	05/07/2009	05/07/09 Section 6; 07/01/09 All other sections	297
332	Appropriations	05/07/2009	05-07-09 Section 5; 07-01-09 All other sections	298
333	Appropriations	05/07/2009	05/07/09 Section 6; 07/01/09 All other sections	299
334	Ways and Means	05/12/2009	01/01/10	331
335	Ways and Means	05/07/2009	05/07/09	300
338 AAS	Ways and Means	05/12/2009	06/01/09 Section 1; 07/01/09 Sections 2, 3, 4 & 5	332
341	Appropriations	05/07/2009	05/07/09 Section 4; 07/01/09 All other sections	301
342	Appropriations	05/07/2009	05/07/09 Section 4; 07/01/09 All other sections	302
343	Appropriations	05/07/2009	05/07/09 Sections 4 & 5; 07/01/09 All other sections	303
344	Appropriations	05/07/2009	05/07/09 Section 5; 07/01/09 All other sections	320
345	Appropriations	05/07/2009	05/07/09 Section 4; 07/01/09 All other sections	321
346	Appropriations	05/11/2009	05/11/09 Sections 8 & 9; 07/01/09 All other sections	324
347	Appropriations	05/07/2009	05/07/09 Section 4; 07/01/09 All other sections	304

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348	Appropriations	05/07/2009	05/07/09 Section 5; 07/01/09 All other sections	305
349	Appropriations	05/07/2009	05/07/09 Section 5; 07/01/09 All other sections	306
350	Appropriations	05/07/2009	05/07/09 Section 4; 07/01/09 All other sections	307
351	Appropriations	05/07/2009	05/07/09 Section 4; 07/01/09 All other sections	308
352	Appropriations	05/07/2009	05/07/09 Section 4; 07/01/09 All other sections	309
353	Appropriations	05/07/2009	05/07/09 Section 3; 07/01/09 All other sections	310
371	Appropriations	05/07/2009	07/01/2009	311
372 AAS	Ways and Means	05/18/2009	07/01/09 Section 1; 01/01/10 Section 145; 01/01/11 Sections 2 through 144 & Sections 146 through 160	341
374	Ways and Means	05/18/2009	07/01/2009	342
376	Ways and Means	05/12/2009	05/12/09 Sections 1, 5 & 6; 07/01/10 Sections 2, 3 & 4	333
377	Appropriations	05/12/2009	07/01/2009	334
378	Appropriations	05/12/2009	05/12/09 Sections 1 & 2; 07/01/09 All other sections	335